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Time: 3:22 PM
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From: **

Fax: +1(813)123-4567

To:

Fax: 8509216847

Page 1 of 7 Sunday, March 18, 2001 3:23 PM

JESSE TOCA
PETITIONER
1900 LAND O' LAKES BOULEVARD
#113
LUTZ, FLORIDA 33549-2920
E-mail: jayteell@hotmail.com

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

CASE NUMBER: 01-1016-RU

W7Q

JESSE TOCA
1900 LAND O' LAKES BOULEVARD, #113
LUTZ, FLORIDA 33549-2920
E-MAIL: jayteell@hotmail.com

PETITIONER,

V.

FLORIDA COMMISSION ON HUMAN RELATIONS,
325 JOHN KNOW ROAD, BUILDING "F", SUITE 240
TALLAHASSEE, FLORIDA 32302-4149
C/O MS. DANA BAIRD, GENERAL COUNSEL
E-MAIL: bairdd@dms.state.fl.us

RESPONDENT.

**PETITIONER'S NOTICE OF REQUEST FOR JUDICIAL NOTICE
AND/OR OFFICIAL RECOGNITION; AND, PETITIONER'S
REQUEST FOR JUDICIAL NOTICE AND/OR OFFICIAL RECOGNITION
IN SUPPORT OF THE PETITIONER'S PETITION TO DETERMINE
VALIDITY OF UNPROMULGATED RULES AS WELL AS
THE PETITIONER'S MOTION FOR SUMMARY FINAL ORDER WITH
RESPECT TO PETITION TO DETERMINE VALIDITY OF
UNPROMULGATED RULES**

The Petitioner, **JESSE TOCA**, pursuant to the provisions
of Sections 90.201-90.206, Florida Statutes (1999) (West
Supp. 2000); and, Section 120.569, Florida Statutes (1999)
(West Supp. 2000), hereby respectfully requests that the
Division of Administrative Hearings take Judicial Notice

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and/or Official Recognition of all of the following matters:

1. Article I, Section 24 of the Florida Constitution.
2. The Florida Public Records Act, codified at Chapter 119, Florida Statutes (1999) (West Supp. 2000).
3. The Florida Revised Administrative Procedure Act of 1996, as amended, codified at Chapter 120, Florida Statutes (1999) (West Supp. 2000).
4. The Florida Civil Rights Act of 1992, as amended, codified at Sections 760.01-760.11, Florida Statutes (1999) (West Supp. 2000).
5. The Florida Religious Freedom Restoration Act of 1998, as amended, codified at Sections 761.01-761.05, Florida Statutes (1999) (West Supp. 2000).
6. The Florida Citizen Participation in Government Act, also known as the Florida Anti-SLAPP Act, enacted by Chapter 2000-174, Laws of Florida, codified at Section 768.295, Florida Statutes (West Supp. 2000).
7. The International Covenant on Civil and Political Rights, a Treaty entered into by the United States Government and made applicable to the states under the Supremacy Clause of Article VI, Section 2 of the United States Constitution.
8. All rules of the Florida Commission on Human Relations codified at Chapter 60Y of the Florida Administrative Code.

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9. All notices of rulemaking workshops communicated by the Florida Commission on Human Relations and published in the Florida Administrative Weekly as well as on the Florida Department of State's website, covering the period from July 1, 1996 through and including March 9, 2001.

10. All notices of proposed rules communicated by the Florida Commission on Human Relations and published in the Florida Administrative Weekly as well as on the Florida Department of State's website, covering the period from July 1, 1996 through and including March 9, 2001.

11. All notices of final rules communicated by the Florida Commission on Human Relations and published in the Florida Administrative Weekly as well as on the Florida Department of State's website, covering the period from July 1, 1996 through and including March 9, 2001.

12. All notices of rule repeal(s) communicated by the Florida Commission on Human Relations and published in the Florida Administrative Weekly as well as on the Florida Department of State's website, covering the period from July 1, 1996 through and including March 9, 2001.

13. All petitions for rulemaking received by the Florida Commission on Human Relations during the period covering from July 1, 1996 through and including March 9, 2001.

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14. All petitions for declaratory statements received by the Florida Commission on Human Relations during the period covering from July 1, 1996 through and including March 9, 2001.

15. All petitions for variances received by the Florida Commission on Human Relations during the period covering from July 1, 1996 through and including March 9, 2001.

16. All petitions for waivers received by the Florida Commission on Human Relations during the period covering from July 1, 1996 through and including March 9, 2001.

17. All petitions challenging any and all rules of the Florida Commission on Human Relations received by the Division of Administrative Hearings during the period covering from July 1, 1996 through and including March 9, 2001.

18. The current contents (as of March 12, 2001) of the Florida Commission on Human Relations' website (in its entirety).

19. All final orders entered by the Florida Commission on Human Relations during the period covering from July 1, 1996 through and including March 9, 2001.

20. All documents and records on file with the Florida Commission on Human Relations and with the Division of Administrative Hearings in the case beneath the name Jesse Toca v. EXP.com, Inc.; and, Mark Benning, before the Florida

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Commission on Human Relations and the Division of
Administrative Hearings on Complaint of Religious
Discrimination and on Petition for Relief from Unlawful
Employment Practice, bearing FCHR Case Number 2100538;
including but not limited to all documents sent by the
Petitioner to the FCHR by e-mail(s), e-mail attachment(s),
fax(es), United States Mail, and all other means of
communication(s) and/or transmission(s), during the period
covering from November 27, 2000 through and including March
19, 2001.

21. All documents and records of the Florida Commission
on Human Relations concerning and/or in any manner
whatsoever relating to any and all charges filed by any and
all charging parties, that are now closed (with a
determination of cause and/or no cause), that were
originally filed by the charging parties between July 1,
1996 and March 9, 2001.

22. All articles concerning and/or in any manner
whatsoever relating to the Florida Administrative Procedure
Act, published in the Florida Bar Journal during the period
covering from January 1, 1995 through and including March 1,
2001.

23. All articles concerning and/or in any manner
whatsoever relating to the Florida Administrative Procedure
Act, published by Florida State University (including but

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not limited to those authored by Professors Pat Dore and John Rossi), during the period covering from January 1, 1973 through and including March 1, 2001.

24. All articles concerning and/or in any manner whatsoever relating to the Florida Administrative Procedure Act, published by Nova University and/or Nova Southeastern University (including but not limited to those authored by Professor Johnny Burris), during the period covering from January 1, 1975 through and including March 1, 2001.

25. All practice manuals published by The Florida Bar and all supplements and/or addenda thereto, on the subject of the Florida Administrative Procedure Act, during the period covering from January 1, 1997 through and including March 1, 2001.

26. All practice manuals published by LEXIS and/or Michie and/or Butterworth Publishers and/or Michie-Butterworth and/or Lawyers Co-Operative Publishing Company and/or Reid Elsevier PLC, on the subject of the Florida Administrative Procedure Act, during the period covering from January 1, 1990 through and including March 1, 2001.

27. Chapters 28-101; 28-102; 28-103; 28-104; 28-105; 28-106; 28-107; and, 28-108 of the Florida Administrative Code, promulgated during the period covering from April 1, 1997 through and including March 1, 2001.

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28. All documents filed by attorney Morris ("Sandy") Weinberg of Tampa and/or attorney Eric Leiberman of New York City, on behalf of the Church of Scientology and/or on behalf of the Church of Scientology Flag Service Organization, Inc., in the case beneath the name State of Florida v. Church of Scientology and/or Church of Scientology Flag Service Organization, Inc., before the Circuit Court for the Sixth Judicial Circuit of the State of Florida in and for Pinellas County, bearing Case Number CRC-98-20377-CFANO.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true copy hereof was furnished on this, the 19th. day of March, 2001, by e-mail to:

Ms. Dana Baird, General Counsel
Florida Commission on Human Relations
325 John Knox Road, Building "F", Suite 240
Tallahassee, Florida 32303-4149
By e-mail to: bairdd@dms.state.fl.us

Respectfully, this the 19th. day of March, 2001.

By: /s/ Jesse Toca (digital signature)

Jesse Toca
Petitioner
1900 Land O' Lakes Boulevard
#113
Lutz, Florida 33549-2920
E-mail: jayteell@hotmail.com

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