



## THE FLORIDA BAR

651 EAST JEFFERSON STREET  
TALLAHASSEE, FL 32399-2300

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JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

March 21, 2012

Mr. Ted Jeczalik  
P.O. Box 248  
Port Richey, FL 34673

Re: Complaint by Ted Jeczalik against Audrey A Jefferis  
The Florida Bar File No. 2012-10,702 (6B)

Dear Mr. Jeczalik:

All correspondence and documents submitted in this matter have been carefully reviewed.

Your complaint against Ms. Jefferis alleges, among other things, that she lied to the court. Ms. Jefferis, through her counsel, responded to the allegations made in your complaint. Ms. Jefferis stated that she did not lie to the court. One of the considerations Bar Counsel must weigh in deciding whether to close a file or proceed further to seek disciplinary measures is the weight of the available evidence. If the Bar seeks to discipline the lawyer, it is required by Supreme Court ruling to show, by "clear and convincing" evidence that there has been a violation of one or more of the Rules Regulating The Florida Bar. A review of the materials you submitted reveals that the evidence is not sufficient to establish a finding that the attorney violated her duties as provided for by the Rules Regulating The Florida Bar.

There is insufficient evidence from the materials provided that Ms. Jefferis has violated any of the rules adopted by the Supreme Court of Florida which govern attorney discipline. Accordingly, continued disciplinary proceedings in this matter are inappropriate and our file has been closed. Pursuant to the Bar's records retention schedule, the computer record and file will be disposed of one year from the date of closing.

Sincerely,

Anne-Marie Martinez, Bar Counsel  
Attorney Consumer Assistance Program  
ACAP Hotline 866-352-0707

cc: Mr. H James Parker

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PASCO COUNTY, FLORIDA  
CASE NO.: 51-2010-DR-5308-WS-Z1

ANNA MICHALIK JECZALIK,  
Petitioner,

Vs

TED JECZALIK,  
Respondent.

ORDER DENYING EXCEPTIONS TO GENERAL MAGISTRATE'S  
REPORT AND RECOMMENDATIONS  
ORDER CONFIRMING GENERAL MAGISTRATE'S REPORT  
DATED JANUARY 26, 2012

*Handwritten signature*  
Clerk & Controller  
Pasco County, Florida

2012 MAR 28 PM 2:34

FILED FOR RECORD  
PASCO COUNTY, FLORIDA

**THIS CAUSE** came on March 27, 2012 for hearing before the Court on the Exceptions filed by Respondent to the Report and Recommendations of the General Magistrate dated January 26, 2012 on Petitioner's Motion for Temporary Relief and Petitioner's Motion to Cease and Desist and to Remove Defamatory Material filed November 15, 2011. Where a general magistrate has been appointed for fact finding and to recommend disposition of pending issues, the trial court is bound by the general magistrate's factual findings unless they are not supported by competent substantial evidence or are clearly erroneous. Zdravkovic v. Zdravkovic, 684 So2d 822 (Fla. 4<sup>th</sup> DCA 1996); Dent v. Dent, 438 So2d 903 (Fla. 4<sup>th</sup> DCA 1983). It is the responsibility of the party filing Exceptions to provide a transcript of the proceedings so that Court will have the ability to compare the Exceptions to the record, pursuant to Rule 12.490 Fla. Fam. LRP; no transcript was provided. Therefore, the Exceptions must be denied and the court finds that there has been no substantial mistake of fact or departure from the

essential requirements of law in the General Magistrate's findings and recommendations, and it is hereby

**ORDERED AND ADJUDGED** that the Petitioner's Exceptions are overruled and the General Magistrate's Report and Recommendation served upon the parties on January 26, 2012 are hereby ratified, and confirmed. The General Magistrate's Report and Recommendations are incorporated into this Order by this reference and made a part hereof as though specifically set forth herein. The parties are hereby directed to comply with the General Magistrate's Report and Recommendations in all respects.

**ORDERED** at New Port Richey, Pasco County, Florida, this 27<sup>th</sup> day of March, 2012.

  
\_\_\_\_\_  
PATRICIA A. MUSCARELLA  
CIRCUIT COURT JUDGE

Copies furnished to:

Ted Jeczalik, P.O. Box 248, Port Richey, FL 34673

Audrey Jefferis, Esquire, 8138 Massachusetts Ave., New Port Richey, FL 34653

Angela Hoogeveen, General Magistrate

STATE OF FLORIDA, COUNTY OF PASCO  
THIS IS TO CERTIFY THAT THE FOREGOING IS A  
TRUE AND CORRECT COPY OF THE DOCUMENT  
ON FILE OR OF PUBLIC RECORD IN THIS OFFICE  
WITNESS MY HAND AND OFFICIAL SEAL THIS  
30<sup>th</sup> DAY OF March 2012  
PAULA S. O'NEIL, CLERK & COMPTROLLER  
BY Anna Costello DEPUTY CLERK

IN THE CIRCUIT COURT SIXTH JUDICIAL CIRCUIT  
IN AND FOR PASCO COUNTY, FLORIDA

ANNA MICHALIK JECZALIK,  
Petitioner

Vs

Case No. 51-2010-DR-5308-Z1

TED JECZALIK,  
Respondent

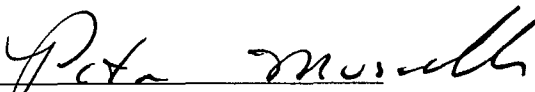
FILED FOR RECORD  
PASCO COUNTY, FLORIDA  
2012 MAR 28 PM 2:34  
Paula S. O'Neil  
Clerk & Comptroller  
Pasco County, Florida

**ORDER APPROVING REPORT AND RECOMMENDATION OF THE GENERAL  
MAGISTRATE**

THIS CAUSE came before the Court on the Report and Recommendation of General Magistrate for Petitioner's Motion for Temporary Relief and Petitioners Motion to Cease and desist and Remove Defamatory Material served on the parties under Certificate of Service dated January 26<sup>th</sup>, 2012. The Court finds that the exceptions filed were without merit and were disposed of by separate Order. It is therefore

ORDERED AND ADJUDGED that the Report and Recommendation of the General Magistrate dated January 26<sup>th</sup>, 2012, be and is hereby confirmed, ratified and made an Order of this Court and the parties are specifically directed to abide by the Recommendations therein.

DONE AND ORDERED in Chambers, New Port Richey, Pasco County, Florida, this 27<sup>th</sup> day of March, 2012.

  
\_\_\_\_\_  
Patricia A. Muscarella  
Circuit Court Judge

cc:  
Ted Jeczalik P.O. Box 248, New Port Richey, Fl 34673  
Audrey Jefferis, Esquire 8138 Massachusetts Ave., New Port Richey, Fl 34653  
Angela Hoogeveen, General Magistrate

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BY Luana Costello DEPUTY CLERK