



# Florida Commission on Ethics

P. O. Drawer 15709, Tallahassee, Florida 32317-5709

"A Public Office is a Public Trust"

## COMPLAINT

### 1. PERSON BRINGING COMPLAINT:

Name: Scott Huminski Telephone Number: 239 300 6656

Address: 26 Fleetwood Drive

City: Palm Coast County: Flagler State: Fl Zip Code: 32137

### 2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

Use a separate complaint form for each person you wish to complain against:

Name: Amira Dajani Fox Telephone Number: 239 553 1102

Address: P.O. Box 399

City: Fort Myers County: Lee Zip Code: 33902

Title of office or position held or sought: State's Attorney

### 3. STATEMENT OF FACTS:

Please provide a full explanation of your complaint, describing the facts and the actions of the person named above and why you believe he or she violated the law. Include relevant dates and the names and addresses of persons whom you believe may be witnesses. Please do not submit more than 15 pages, including this form. Please do not submit video or audio tapes, CDs, DVDs, flash drives or other electronic media; such material will not be considered part of the complaint and will be returned.

### 4. OATH

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, the person bringing this complaint, do swear or affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief.

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, by \_\_\_\_\_ (name of person making statement)

\_\_\_\_\_  
SIGNATURE OF COMPLAINANT

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_

Type of Identification Produced: \_\_\_\_\_

1. All times material herein Amira Fox either;
  - Supervised *State v. Huminski*, 17-mm-815, Lee County Court, (the “CASE”) as Chief Assistant State’s Attorney by function and her own admission, or
  - Was the State’s Attorney of the 20<sup>th</sup> Judicial Circuit prosecuting the CASE.
2. The 2047 page full record on appeal for the CASE (the “RECORD”) is located here,  
[https://edca.2dca.org/DcaDocs/2019/1914/2019-1914\\_Brief\\_530010\\_RC09.pdf](https://edca.2dca.org/DcaDocs/2019/1914/2019-1914_Brief_530010_RC09.pdf)  
or  
[https://web.archive.org/web/20201005171650/https://edca.2dca.org/DcaDocs/2019/1914/2019-1914\\_Brief\\_530010\\_RC09.pdf](https://web.archive.org/web/20201005171650/https://edca.2dca.org/DcaDocs/2019/1914/2019-1914_Brief_530010_RC09.pdf)
3. No State of Florida prosecutorial executive branch official authored or signed a document that initiated the CASE and none such document exists in the RECORD nor CASE. The RECORD is a searchable pdf.
4. There exists no proof of service of any criminal charging instrument in the criminal CASE (17-mm-815) or RECORD. There was no indictment or any conceivable charging method legal in Florida used to initiate the criminal misdemeanor County Court CASE.
5. The RECORD and CASE are absent of existence of any criminal statute that would have allowed a criminal misdemeanor prosecution by Amira Fox (for the State) as a plaintiff or that conferred plaintiff status upon the State.
6. The initiation of the CASE is absent any legitimate procedure used by prosecutors in Florida to initiate a criminal misdemeanor CASE consistent with any law, procedure or rule.
7. The CASE simply appeared in the County Court criminal misdemeanor docket absent any prior legal procedure employed in Florida. One can speculate on the illegal *behind-the-scenes smoke-and-mirrors* manipulation of Court dockets that spawned the CASE.
8. Nothing exists in the RECORD that would convey the status of Plaintiff upon the State of Florida/Amira Fox. Amira Fox / the State had no standing to prosecute a criminal CASE or to assert Plaintiff status. Every jurisdiction in the United States requires that the Plaintiff in a criminal or civil case must file pleadings commencing the case. The mysterious docketing of the case elicits serious questions as to ethical improprieties and criminal courthouse activity.
9. The only document served upon Huminski in the RECORD was a show cause order authored by a judge in a civil CASE, *Huminski v. Town of Gilbert AZ*, 17-CA-421, that was filed and served in another case and in another Court (20<sup>th</sup> Circuit) prior to the existence of the County CASE. In Florida, judges do not initiate criminal misdemeanor cases in the County Courts or Circuit Courts. Prosecutors, part of the executive branch of government, prosecute crimes not the judicial branch. Judges do “prosecute” *sui generis* common law offenses, contempt, under

F.S.A. 900.04. Amira Fox inserted herself into a matter solely reserved for the judicial branch of government violating separation of powers in her zeal to weaponize the justice system.

10. Shortly after the sordid details of this CASE were published in court filings in the United States District Court in two very high profile cases, the subordinate of Amira Fox, Anthony Kunasek, Esq., with duties related to the CASE committed suicide. Obvious reasons for the suicide exist related to material herein.
11. When speaking to Anthony Kunasek, esq., Amira Fox's subordinate, in 2017-2018 at the Lee Court Complex concerning Due Process concerns with the CASE initiation, he opined that it was his supervisor, Amira Fox, that made the choice to prosecute in the method herein described, ie. without a charging document or service. See Amira Fox campaign material below concerning supervision.
12. To this day, years later, after securing an incarceration in 2019, State's Attorney Amira Fox arrogantly refuses to right the wrong and file a motion to vacate the *void ab initio* judgment in the CASE attained in the absence of any and all jurisdiction in violation of ethical, constitutional and moral precepts and in the pursuit of lawfare and weaponized justice in violation of separation of powers.

### **A bold violation of substantive and procedural Due Process**

Due process is an essential element of the American justice system and a secured under both the State and Federal constitutions. The unknown but clearly nefarious techniques used by Amira Fox to secure the docketing of the CASE in the dark recesses of the courthouse indicate criminal conduct on her part. Nothing in the RECORD can explain how a criminal CASE came to be docketed in Lee County criminal court as a misdemeanor. ASA Anthony Kunasek, esq. himself opined at hearing (see RECORD) that no new docket number is issued in contempt cases (which are *sui generis* common law offenses). In the instance of the CASE, it was not just a new docket number; it was an entirely different court (County v. Circuit), an entirely different caption (State v. Huminski versus Huminski v. Town of Gilbert AZ) and nothing in the RECORD details how Amira Fox got the CASE docketed. Simply viewing television courthouse scenes detailing contempt authentically depict that contempt is handled by the Court (judge) and the sovereign does not participate.

The criminal CASE was prosecuted in the absence of subject matter (no statute, no charging document) and personal jurisdiction (no service). The Plaintiff, Amira Fox for the State, had no standing to participate in a matter for which she authored no pleadings to commence the CASE. Standing is a jurisdictional issue.

One circumstance where contempt does involve the State coming on as a plaintiff is violation of a family law / domestic relations protective order which is supported by statute. The two statutes that would allow State participation do not exist in the RECORD nor CASE. The only statute that exists anywhere in the CASE / RECORD is F.S.A. 900.04 which does not involve participation of the government as a plaintiff, but, only governs judges handling of contempt without the State hijacking the matter as a plaintiff in violation of separation of powers.

Statutes absent in the RECORD and CASE:

Florida Statute 741.31

Makes it a crime to violate a domestic violence injunction. The state must prove that the defendant knowingly and intentionally violated the injunction.

Florida Statute 784.047

Makes it a crime to violate a repeat violence, sexual violence, or dating violence injunction.

The CASE and RECORD citing F.S.A. 900.04 illegally stating “County Criminal”, “Misdemeanor”:

LEE COUNTY CLERK OF COURTS					
CASE SUMMARY					
CASE NO. 17-MM-000815					
State of Florida	§			Location:	County Criminal
vs	§			Judicial Officer:	Adams, James R
Huminski, Scott A	§			Filed on:	06/30/2017
	§				
CASE INFORMATION					
<b>Offense</b>	<b>Statute</b>	<b>Deg</b>	<b>Date</b>	<b>Case Type:</b>	<b>Misdemeanor</b>
Jurisdiction: Lee County				<b>Case Flags:</b>	<b>Court Appointed Attorney</b>
I. CONTEMPT OF COURT CIRCUIT OR COUNTY	900.04	N	06/05/2017		<b>Defendant Placed on Probation</b>
Sequence: 1					<b>Appeal Under Review by Appellate Court</b>

F.S.A. 900.04 does not define a crime and is non-actionable by the State as a plaintiff. It is solely reserved for the judicial branch. Amira Fox violated separation of powers by assuming duties that are reserved for the judicial branch of government (handling contempt under F.S.A. 900.04).

**An act of moral turpitude, a violation of federal criminal law 18 U.S.C. § 241**

The acts of Amira Fox constitute moral turpitude by prosecuting a criminal misdemeanor CASE in the absence of any and all jurisdiction, absent a statute, sans standing with assistance from her office personnel / courthouse personnel constituting a Due Process and separation of powers violation of both the State and Federal Constitutions and an ethical infirmity. Amira Fox needed Anthony Kunasek and both her staff and courthouse personnel to accomplish the docketing and prosecution of the CASE. One person alone, even a State's Attorney, can not accomplish the acts set forth herein. A *per se* conspiracy against rights exists.

Due Process is a fundamental and constitutionally established right that Amira Fox deliberately and maliciously violated achieving a *void ab initio* judgment in the CASE. Amira Fox deliberately and maliciously failed to provide a document describing the details of the CASE (charging information) and did not serve the non-existent charging document; her conduct is the epitome of Due Process violations and indicative of evil intent and a corrupt design.

Due Process is a federally secured constitutional right whereby a conspiracy between Amira Fox and Anthony Kunasek is actionable under federal criminal law. A crime is a *per se* act of moral turpitude regardless of whether the federal crime was prosecuted.

Separation of Powers is fundamental to the operation of the federal and various State governments. Amira Fox's (executive branch) trespassing into judicial branch duties is an extreme ethical violation and contrary to the fundamental operation of government at all levels. Lawfare and weaponized justice can result in chaos and the heinous loss of rights including liberty. The complainant was incarcerated related to the herein acts of Amira Fox in 2019 under the Fox State's Attorney regime. Liberty was lost in her lawfare scheme.

The conspiracy between supervisor (Amira Fox) and the subordinate (Anthony Kunasek, deceased) consist of a conspiracy against rights which is a criminal violation of federal law. (18 U.S.C. § 241) The conspiracy is presumed once Amira Fox was elected as the State's Attorney. Prior to taking office, Amira Fox admitted prior supervisory involvement in the CASE.

The aforementioned memorializes ethical and criminal violations of Amira Fox. How the prosecution of the CASE was initiated raises grave issues, however, the complainant has no idea of what went on behind the scenes in the Lee County Court Complex that resulted in the docketing and commencement of the CASE absent any statute, service, procedure, rule and a sans single sheet of paper authored by any State prosecutor (an executive branch official) under Amira Fox's leadership.

18 U.S.C. §241. Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

[\(June 25, 1948, ch. 645, 62 Stat. 696; Pub. L. 90-284, title I, §103\(a\), Apr. 11, 1968, 82 Stat. 75; Pub. L. 100-690, title VII, §7018\(a\), \(b\)\(1\), Nov. 18, 1988, 102 Stat. 4396; Pub. L. 103-322, title VI, §60006\(a\), title XXXII, §§320103\(a\), 320201\(a\), title XXXIII, §330016\(1\)\(L\), Sept. 13, 1994, 108 Stat. 1970, 2109, 2113, 2147; Pub. L. 104-294, title VI, §§604\(b\)\(14\)\(A\), 607\(a\), Oct. 11, 1996, 110 Stat. 3507, 3511.\)](#)

The screenshot shows a web browser window with the URL foxforstateattorney.com. The page features a video player at the top with a red jacket and the text "PAID FOR BY AMIRA FOX, REPUBLICAN FOR STATE ATTORNEY, 20TH JUDICIAL CIRCUIT". Below the video is the "ABOUT AMIRA" section, which describes her 30-year career in public and private law practice, her role as Chief Assistant State Attorney, and her experience in death penalty cases. To the right of the text is a call to action: "HELP AMIRA MAKE A Difference!" with five stars above and below the text. The browser's taskbar at the bottom shows the time as 5:21 AM on 9/2/2021 and the weather as 76°F Mostly cloudy.