

FORMAL BAR RESPONSE – PERSONAL COMPLAINT

To Be Submitted by: Rogerio Scotton, Robert Scarcell, Peter Aldo

Subject: Formal Complaint Against Attorney Seth R. Keller – Case Ref: RFA No. 25-12722

To the Florida Bar,

Subject: Amended Complaint – Additional Violations by Brandon J. Gibson (Florida Bar No. 0099411)

To: The Florida Bar – Attorney Consumer Assistance Program

ACAP Email: acap@floridabar.org

Re: Amended Complaint – Conduct Violations by Attorney Brandon J. Gibson

Complainant: Legal Help 4 You LLC on behalf of Marcio Sousa Sales

Respondent: Brandon J. Gibson, Esq. – Florida Bar No. 0099411

Law Firm: KellerGibson PLLC

Matter: Marcio Sousa Sales v. Antonio de Andrade

Original Complaint Reference (if applicable): No. 25-12722

Dear Bar Counsel,

This is a formal amendment and supplement to the complaint previously submitted regarding unethical conduct by Attorney Brandon J. Gibson, in his involvement with the case of Marcio Sousa Sales v. Antonio de Andrade.

Upon further investigation and procedural review, it has now been discovered that:

Mr. Brandon Gibson was not the attorney of record in the court file at the time he:

Filed motions on behalf of the defendant (Antonio de Andrade);

Participated in a Zoom hearing where he verbally argued for dismissal of Mr. Sales' complaint;

Submitted pleadings under his name without a corresponding Notice of Appearance or Substitution of Counsel filed with the court.

Despite lacking proper filing credentials and not being officially designated as counsel, Mr. Gibson engaged in direct litigation actions:

Submitted a motion for sanctions against a pro se litigant; Upload a order for the court containing false statements;

Compelled responses from the plaintiff (Mr. Sales), thus placing a non-represented party under procedural burden from a lawyer not on record;

Proceeded with argumentation in court without judicial objection, further harming the fairness of proceedings.

These actions amount to:

Violation of Rule 4-1.1 (Competence) and Rule 4-1.3 (Diligence) under the Rules Regulating The Florida Bar;

Violation of Rule 4-5.5 (Unauthorized Practice of Law / Improper Jurisdictional Practice);

Violation of Rule 4-3.3 (Candor Toward the Tribunal), as the court was not properly informed of his standing;

Violation of Rule 4-8.4(d) – Conduct prejudicial to the administration of justice, due to undermining due process protections owed to a pro se litigant.

As a result of Mr. Gibson's conduct:

Mr. Sales' complaint was dismissed at the hearing Mr. Gibson unlawfully argued;

No attorney of record challenged his authority in court, placing the legitimacy of the dismissal in serious question;

Mr. Sales' constitutional rights to a fair hearing and clear notice were effectively compromised.

These developments materially escalate the seriousness of the grievance. The Florida Bar is respectfully urged to review this misconduct in full scope and consider appropriate action.

Please see attached:

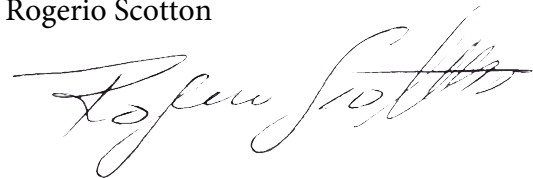
Docket screenshot showing Seth Keller as the attorney of record;

Motion and hearing transcript excerpts showing Brandon Gibson's direct actions;

Court filings bearing Mr. Gibson's signature without appearance filed.

We appreciate your urgent attention to this matter and expect a thorough investigation into this serious breach of professional conduct.

Rogério Scotton

A handwritten signature in black ink, appearing to read "Rogério Scotton", written in a cursive style.

FORMAL BAR RESPONSE – PERSONAL COMPLAINT

To Be Submitted by: Rogerio Scotton, Robert Scarcell, Peter Aldo

Subject: **Formal Complaint Against Attorney Seth R. Keller – Case Ref: RFA No. 25-12722**

To the Florida Bar,

I am writing directly, in my personal capacity, to address what I view as an unacceptable failure by your office to act on a serious matter of attorney misconduct. The previous complaint filed by Mr. Marcio Sousa Sales was prematurely closed under the justification that the matter “involves a dispute over which a court has jurisdiction.” That rationale is not only inadequate — it is a dangerous excuse that enables systemic abuse and perpetuates injustice under the color of professional immunity.

This complaint is not about a procedural dispute. It is about willful, repeated violations of law and ethics by a licensed attorney, knowingly executed to suppress, intimidate, and destroy the due process rights of a self-represented party.

What Attorney Seth R. Keller Has Done — and Why It Matters:
Knowingly Sued the Wrong Party:

Keller initiated litigation against Mr. Marcio Sousa Sales, a private individual, even though he knew — or should have known — that the correct party was an LLC in which Marcio had no legal role.

On April 14, 2025, Attorney Seth R. Keller issued a second sanctions letter pursuant to § 57.105, again targeting Mr. Marcio Sousa Sales — a known pro se litigant. The letter not only demands dismissal of a pending complaint, but also threatens sanctions against a hypothetical future complaint that had not yet been approved by the court. This conduct is harassing, procedurally improper, and intentionally aimed at intimidating a vulnerable party.

Moreover, Keller directs the letter to a third-party assistant, “Legal Help 4 You,” attempting to implicate them in unauthorized practice without basis — despite full knowledge that no legal representation exists. This is an abuse of both the judicial process and the professional license, done in bad faith and contrary to the ethical rules of the Florida Bar. (see attached 2 letter from Attorney).

He proceeded with litigation against Marcio’s son, knowingly allowing the wrong individual to be tried while shielding the LLC.

This is not a mistake. This is intentional misrepresentation to the court and a violation of the Rules Regulating The Florida Bar, including Rule 4-3.1 (meritorious claims and contentions), and 4-3.3 (candor toward the tribunal).

Post-Judgment Misconduct and Abuse of Sanctions:

After the court dismissed the second case without prejudice, and while it is actively on appeal, Keller attempted to file a sanctions motion under § 57.105, seeking attorney’s fees from the pro se party.

This is a clear abuse of process under Fla. R. Civ. P. 1.420, and constitutes harassment of a self-represented litigant during an open appeal.

Misuse of Process and Judicial Manipulation:

Keller set a hearing unilaterally, without judicial order, while other motions (such as objections and motions to stay) remained unresolved. This is in direct violation of Florida Rules of Judicial Administration and violates the integrity of the process.

He is clearly attempting to weaponize procedure, using his license and court familiarity not to seek justice, but to exploit an unrepresented person.

Ethical and Moral Bankruptcy:

Keller has failed in his duty to advise his client of errors, failed to withdraw meritless claims, and is actively prolonging injustice solely for personal gain. This behavior undermines public confidence in the profession and violates Rule 4-8.4(d), which prohibits conduct prejudicial to the administration of justice.

Why the Florida Bar's Excuse Letter Is Not Acceptable:

The letter dated May 28, 2025, from Richard Coombs, is not just dismissive — it is part of the problem. It exemplifies the very reason people have lost faith in legal institutions. Telling a litigant “we don’t have jurisdiction” while turning a blind eye to clear, documented misconduct by a Florida-licensed attorney is a disgrace.

If the Florida Bar claims to protect the public from attorney misconduct, it must not excuse criminal-like conduct just because it occurred inside a courtroom.

Your refusal to act not only empowers Keller — it marks the Florida Bar as complicit in protecting corrupt legal practices. In the public eye, this is not oversight — it is obstruction.

Notice of Public and Legal Escalation:

Please be advised that:

A second civil lawsuit has now been filed by Mr. Marcio Sousa Sales against Mr. Keller’s client (Antonio de Andrade) — supported by sworn affidavits, motions, and exhibits documenting all misconduct listed above.

All records, including this Bar complaint, will be made available for public access, published via independent media, and shared with organizations advocating for pro se rights and judicial transparency.

This matter will be further reported to the Judicial Qualifications Commission, the Office of Inspector General, and federal civil rights authorities if Florida’s own institutions continue to shield unethical conduct.

What the Florida Bar Must Do Now:

Immediately re-open this complaint.


Require a formal response from Attorney Seth R. Keller to all allegations.

Notify him that retaliatory use of sanctions against a pro se litigant will be treated as misuse of authority and professional misconduct.

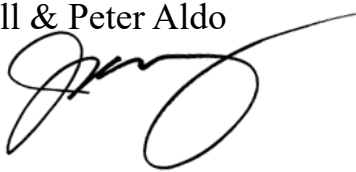
Failing to do so confirms what the public already suspects — that the Florida Bar is less a regulator and more a shield for the legal elite, protecting its own regardless of harm done to the people it is supposed to serve.

The public is watching. This is no longer a legal complaint — it is a fight for justice.

Sincerely,



Rogerio Scotton, Robert Scarcell & Peter Aldo
160 W camino Real # 102
Boca Raton, Florida 33432



**Transcript Excerpt – Hearing on Motion to Dismiss
IN THE CIRCUIT OF THE 15TH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA**

MARCIO SOUSA SALES,

Plaintiff,

CASE NO: 50-2025-CA-000969-XXA-MB

vs.

ANTONIO DE ANDRADE,

Defendant,

_____/

Transcript Excerpt – *Hearing on Motion to Dismiss*

Case: *Antonio de Andrade v. Marcio Sousa Sales*

Date: May 14, 2025

Judge: The Honorable Scott

Location: Circuit Court of the Fifteenth Judicial Circuit, Palm Beach County

Attorney (Keller or Gibson):

"Dexert, hearing on motion to dismiss, May 14, 2025. Mr. Sales is not here. If you'd like me to go into the substance of the motion, I can do that, but that is our position on the motion. I believe it should be granted, simply for the fact that Mr. Sales failed to appear."

Transcript Excerpt – Hearing on Motion to Dismiss

Judge Scott:

"Alright. Mr. Sales was noticed to be here. He's not here. I have reviewed the papers that were filed in this case, so I'm going to grant the motion to dismiss at this time. Thank you."

LEGAL NOTE:

- At the time of this hearing, **multiple motions filed by Mr. Sales** were still pending, including:
 - Objection to the hearing,
 - Motion to strike opposing counsel's filings,
 - Motion to dismiss due to improper service,
 - Motion to stay,
 - Others still awaiting ruling.
- **No formal hearing notice was ever issued** to Mr. Sales via order or confirmed service, in violation of due process.
- Judge Scott's statement, "***I have reviewed the papers that were filed in this case,***" stands in direct contradiction to the court record, which **shows no rulings issued** on any of the above motions.



WHEN LAW FIRMS BECOME LAWLESS

**KELLERGIBSON'S TRAIL
OF MISCONDUCT IN
FLORIDA COURTROOM**

LEGAL HELP 4 YOU



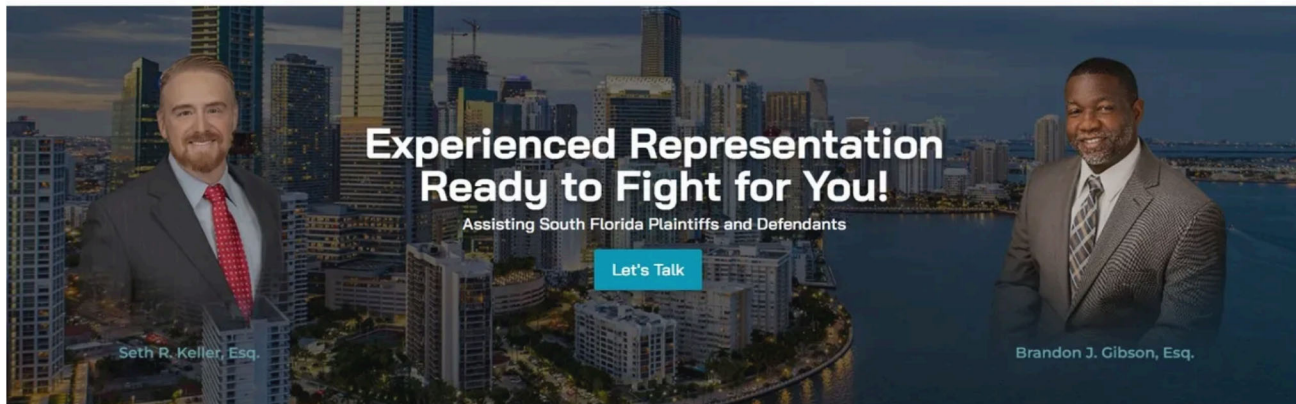
important than truth, law, or the rights of ordinary people.

Such is the case of *KellerGibson, PLLC*, a Lauderhill-based law firm now at the center of a disturbing pattern of misconduct in the case of **Marcio Sousa Sales v. Antonio de Andrade**.

The Case That Should Have Never Been Filed

The story begins with a fatal legal flaw: **Antonio de Andrade filed a civil lawsuit not against the company that allegedly serviced his vehicle—but against Marcio Sousa Sales personally**, a man who had **no legal connection** to the business in question. The company was an LLC, and under Florida law, **members of an LLC cannot be sued individually for the LLC’s obligations**.

Yet despite clear Florida precedent, KellerGibson failed to correct this foundational legal error. Instead, they doubled down—filing motions, pushing for hearings, and even targeting Mr. Sales personally in court, despite having full knowledge of the improper party.



✗ Unauthorized Attorney Appears in Court — Illegally

Things took a darker turn when **Brandon J. Gibson, Esq.**, of KellerGibson, began signing motions and appearing in hearings on behalf of Mr. de Andrade **without ever filing a required Notice of Appearance**, as mandated by **Rule 2.505(e), Fla. R. Gen. Prac. & Jud. Admin.**.

That rule is clear:

“An attorney shall file a notice of appearance to officially represent a party unless that attorney signed the initial pleading. No other pleadings or motions may be filed unless a notice of appearance is entered.”

Mr. Gibson violated this rule—he **neither signed the original pleading nor filed a notice of appearance**—yet appeared at the hearing before **Judge Scott** and asked that the case be



claim or defense when initially presented to the court or at any time before trial:

- (a) Was not supported by the material facts necessary to establish the claim or defense; or
- (b) Would not be supported by the application of then-existing law to those material facts.

6. The motion for sanction is being set for hearing.

7. Plaintiff is aware that if Defendant is the prevailing party as to his motion he will be entitled to an award of reasonable attorney's fees.

8. KellerGibson, PLLC, has represented Defendant throughout this matter on an hourly basis.

Wherefore, Defendant Antonio DeAndrade respectfully requests this Court to enter an Order granting the instant motion for entitlement and awarding his reasonable attorney's fees incurred during this lawsuit, and any such further relief as the Court deems fair and just.

Respectfully submitted,

s/Brandon J. Gibson

Brandon J. Gibson

Florida Bar No.: 0099411

E-mail: bgibson@kellergibson.com

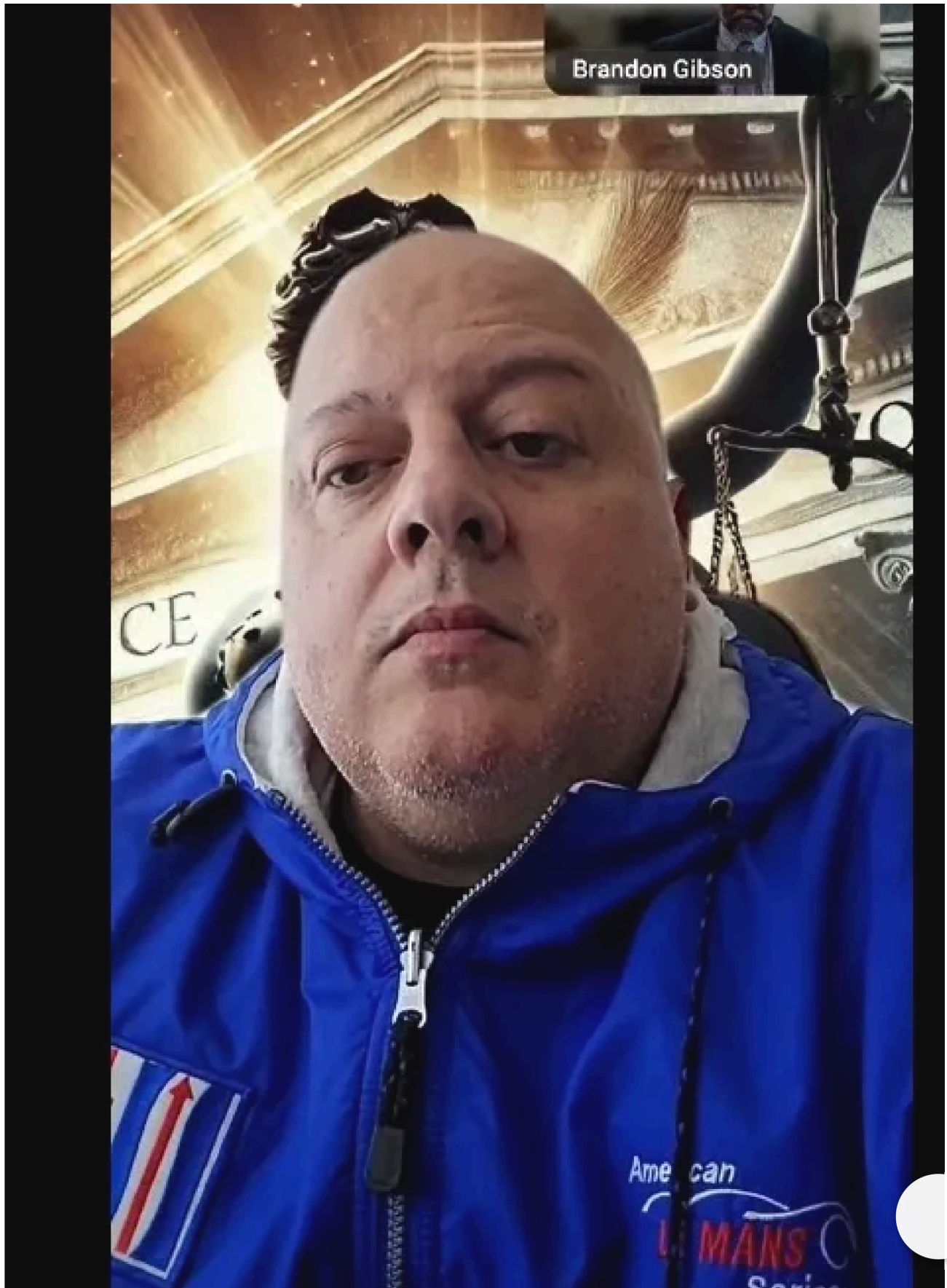
Seth R. Keller

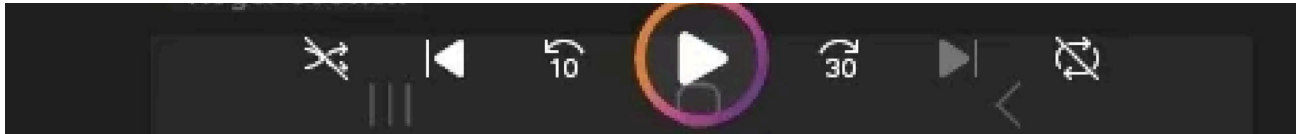
This is **not a technicality**. It is a **due process violation**, an **unauthorized practice of law**, and possibly even **fraud upon the court**.

⚠️ Rules Broken, Rights Denied

The following violations were committed or enabled by KellerGibson:

- **Unauthorized Practice (Rule 4-5.5)** – Gibson appeared without proper notice.
- **Due Process Violation** – Mr. Sales, a pro se litigant, was denied participation due to improper court action.
- **Fraud Upon the Court** – Misleading the court into granting dismissal without proper representation.





Case Law That Supports Mr. Sales

Several Florida cases make clear that only properly noticed attorneys may act in court:

- *Gross v. State*, 310 So. 3d 89 (Fla. 4th DCA 2020)
- *Goldstein v. Goldstein*, 137 So. 3d 453 (Fla. 4th DCA 2014)
- *Capote v. Gonzalez*, 64 So. 3d 737 (Fla. 3d DCA 2011)
- *Pino v. Bank of New York*, 76 So. 3d 927 (Fla. 2011)
- *The Florida Bar v. Greene*, 926 So. 2d 1195 (Fla. 2006)
- *The Florida Bar v. Beach*, 675 So. 2d 106 (Fla. 1996)

Blog, Bar, and Beyond: The Fallout Begins

Mr. Sales has now:

- Filed two complaints with the **Florida Bar** against KellerGibson attorneys;
- Filed a **judicial misconduct complaint** against Judge Scott for dismissing a case without ruling on any of Mr. Sales' 12 motions;
- Filed a new lawsuit under a correct venue;
- Notified the court of potential escalation under **42 U.S.C. § 1983** for civil rights violations.

Meanwhile, KellerGibson continues its tactics—trying to schedule hearings under a **dismissed case**, and attempting to sanction a pro se litigant for trying to defend his rights.





NOTICE OF APPEARANCE

Seth R. Keller, Esq. of Keller Gibson, PLLC., hereby gives his notice of appearance as counsel of record for the Defendant, ANTONIO DE ANDRADE. (hereinafter "Defendant"), in this action. All future notices should be sent to Keller Gibson, PLLC at 3800 Inverrary Blvd., Ste 400-D, Lauderhill, Florida 33319. Pursuant to Rule 2.516 of the Florida Rules of General Practice and Judicial Administration, primary service by email is designated as: seth@kellergibson.com.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent electronically through the e-filing filing portal, this 10 day of March 2025, upon all parties of record.

Respectfully Submitted,

Keller Gibson, PLLC
3800 Inverrary Blvd., Ste 400-D
Lauderhill, FL 33319
Office: 954-999-5769
Fax: 954-206-0144
Primary E-Mail Address: seth@kellergibson.com.

By: /s/ Seth R Keller
Seth R. Keller
FL BAR NO. 91751



Justice Is Not a Game – And This Firm Forgot That

Law is not a game. Courtrooms are not casinos where rules are bent, and due process discarded for profit. But this is what happens when **law firms operate like machines for personal gain**, weaponizing procedure against individuals without counsel, and chasing judgment instead of justice.

It's time the Florida Bar—and the public—take a hard look at KellerGibson, PLLC.

Because justice doesn't come from suits and signatures. It comes from integrity.

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Jun 23, 2025