

STATE OF FLORIDA

FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,
Petitioner,

v.

FEMC Case No. 2016029320

JOSEPH GILBERTI P.E.,
Respondent,

DOAH Case No. 17-3257PL

Modified Motion to Vacate Order of Lifting Abeyance and Request Judge Johnston Recuse himself for Conflict with this US Drinking Water Resource, FPL and Duke-Progress Energy Power Corporations and Israel Mosaic Phosphate in West Florida

COMES NOW, the Respondent JOSEPH GILBERTI pursuant to Section 120.57, Florida Statutes answers the alleged complaint by Petitioner, FEMC on behalf of Florida Board of Engineers complaint filed to hide this World and US Resource from THE PEOPLE using Terrorist acts with FPL, Duke Power Corps, Tampa to Sarasota Judges, Police Officers across Florida, New York and Boston, Gov Scott, Pam Bondi, Obama, Members of Congress and Florida Leaders with Hillsborough County Judiciary, Sarasota Judiciary, Mosaic Phosphate and other to be included as part of ongoing cases in Florida, US Middle District Florida and Georgia Courts as related to Water Wars and US Natural Resources hidden by US Colleges such at FSU, UF, USF, UM, USF, Notre Dame, Yale, Harvard, Northwestern University and various Medical Universities across America, UN, EPA and NASA.

Reasons to Reinstate Order are as follows:

1. The Petitioner, filed a complaint in house knowing with full notification, once Gmail account is obtained from the ISDN Google server in the Hillsborough FAKE Criminal case used again to kidnap Engineer Joe Gilberti to hide the Resource.
2. The current Hillsborough case involves Chris Shaw an ex-public defender who was working on the Karl Brooks case that Gilberti was forced to plead Guilty under duress and the outcome of the current case will result in a Civil RICO that becomes Criminal as Karl Brooks and Chris Shaw with Tampa District 13, worked with Mosaic, Greenberg Traurig, corrupt leaders, Mosaic Phosphate, Duke Energy and FPL to kidnap Gilberti with Sheriff Gee, Pam Bondi and Mark Ober, and now Andrew Warren State Attorneys.
3. The Karl Brooks case will be reversed once we actually get a Police report as that case ran tandem with the Greenberg Case involving Dave Weinstein the Chief Council of Mosaic Phosphate next to our property offering \$500,000,000 to hide it from THE PEOPLE!

4. Public Service commission complaints on FPL, Duke Energy and more were filed in 2012 by others PSC Complaints 05400-13 and 02424-13 with Gilberti Water supply documents attached at the same time Duke and Progress Energy were assessing \$1.5billion to clean up a STILL EMITTING Nuclear Power plant in Crystal River which are the Headwaters of Hillsborough River pumping 65MGD of Radioactive Water to the Tampa Region to fill Moffitt cancer centers and USF Cancer Grants.
5. Judge Lawrence Johnston in this case is in Conflict with THE PEOPLES resource in that he is full aware based on this cases NOTICE OF EVIDENCE of Power and Water advantages this Resource gives millions of Floridians from Tampa to Miami as shown in case below:

Administrative Law Judge J. Lawrence Johnston will conduct a hearing to consider the environmental effects and any other appropriate matters regarding whether to approve the site certification of the proposed Progress Energy Florida, Levy Nuclear Plant Units 1 and 2, application for site certification number PA08-51, DOAH Case number 08-2727EPP, DEP Office of General Counsel Case Number 08-1621, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-.518, Florida Statutes. ...

Meeting: hearing

Contact: Mr. Michael P. Halpin, P.E., Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2007.

6. Engineer Gilberti submitted FDEP application to Tallahassee Revolving fund to Marjorie Stoneman Douglas Building on Jan 31, 2018 via email to build phase 1 pipe and suddenly the School was shot up with an AR-15 at Parkland Marjorie Stoneman Building days later, very similar to the Boston Bomb case where Gilberti sent an FDEP email of Hershall Vinyard as stated below and his bond with Chris Shaw and Karl Brooks went from \$500 to \$300,000 and put in a Hole for 268 days while Sarasota District 12 attacked the land with many Leaders, Judges and Lawyers in the Region for Mosaic, FPL, Duke, PRECO, Nestle and many more we will show in Civil RICO to these Corps and Individuals.
7. A current Trustee Bond at US Middle District Florida via case 9:13-bk-14832-FMD to sue both Henderson Franklin and Grey Robinson Law for US Treason and Genocide worth \$50million is being sued by Gilberti and others to expose all this Corruption by Florida Judges, State Attorneys and large corps hiding Americas Nol Resource for National Defense and Healthcare. This case is now asking for ALL Engineer Gilberti land and lien cases that shows this Board of Engineers, Gov Scott, Florida Leaders and FDEP timed all their Motions and cases around US Terrorism to kidnap Engineer Gilberti and attack his License with FEMC, Board of Engineers, Jon Rimes, Wendy Anderson and Tampa to Ft Myers Judges and US Middle District, its Appeal Judges and more. They want to stop all permitting as all the Civil Engineers in the State of Florida working at Municipalities are hiding it with their Continuing Service Consultants for years.
8. Tap Water is based on Cancer Rates and Medicaid Fraud Gov Scott is taking pictures with my missing Cad Tech Rob Stampe below, before and after the Boston Terror attack that raised my bond retroactively with a Leon County Torch Run with FDEP Hershall Vinyard. See EPA Health

Advisories and common sense that Treated Water is less healthy and more expensive to the Tap than Endless Free Alkaline Mineral Spring Water. Humans take in a liter of Water in the Shower where Medicaid Fraud Trump, Obama, Florida Hospital Boards and Media hide this US TERRORISM with all Tampa to Miami Judges, Engineering Firms working for Municipalities and the EPA!



Rob Stampe is being deposed who worked on Gilberti plans and is taking pictures with Gov Scott two different times to testify on all said issues of Corruption against THE US PEOPLE on this Water Supply!



This FDEP Email was sent 5hrs before the Boston Bomb and suddenly Gilberti is kidnapped by Pam Bondi and Obama in District 13 with Judge Dominquez and Judge Conrad with Mark Ober and a slew of State Attorneys and Public Defenders

9. Why is President Trump with Trump ICE Bottled Water, EPA, NASA and all Florida Leaders, Media and FDEP hiding this US Resource with the Florida Board of Engineers, Administrative Law Judges and all Florida Cops and Firemen in our American FACES to kill our Children and Pets with Cancer Rates at the Tap with Hospitals stealing Medicaid fees with LOW LEVEL OF SERVICE Raw Water drinking resources containing Arsenic from Groundwater and Rivers polluted by Israel Mosaic Phosphate and their Political Mining Compacts from Tampa to Ft Myers?



10. Why are all 26 Administrative Law Judges in Tallahassee hiding this World Resource with the Board of Engineers for an entire year through Hurricanes with John Rimes and Wendy Anderson to kill Americans at the Tap? This mixture changes World medicine so it's not just the pipeline! Arrest all Judges who knew in Florida for Civil duty and take their Bar away immediately for TREASON! Fraud on Courts across Tampa and Tallahassee to Destroy American Families with Water Supply and Cancer!

**Compare U.S. v. Throckmorton, 98 U.S. 61, 25 L.Ed 93 (1878)E
Hazel-Atlas Glass Co. v. Hartford Empire Co., 64 S. Ct. 997 (1944)
Demjanjule v. Petrovsky, 10 F. 3d 338 at 352 (6th Cir 1993)**

A cause of action for fraud on the court may be brought at any time, and any order, judgment or decree, obtained by fraud upon the court may be recalled and set aside at any time, whether entered in a civil or criminal case. See, **State v. Booker, 314 So. 2d 136 (Fla. 1975).**

Judges and attorneys are officers of the Court. A State judge is a state judicial officer, paid by the state to act impartially and lawfully. A federal judge is a federal judicial officer, paid by the federal government to act impartially and lawfully. State and federal attorneys fall into the same general category and must abide by the rules. A judge is not the court. **People v. Azjic, 88 Ill.App.3d 477,410 N>E.2d 626 (1980).**

In Bullock v. United states, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury...where a judge has not performed his/her judicial function — thus where the impartial functions of the court have been directly corrupted."

"Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery cannot perform in the usual manner its impartial tasks of adjudging cases that are presented for adjudication."

Kenner v C.I.R., 387 F.3d 689(1968); 7 Moore's Federal Practice, 2d ed., p. 512, 60:23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final." "Fraud upon the court" makes void the orders and judgments of that court. **It is also clear and well-settled that any attempt to commit "fraud upon the court" vitiates the entire proceeding.** The People of the State of Illinois v. Fred E. Sterling, 357 Ill.354;192 N.E. 229 (1934) ("The maxim that fraud vitiates every transaction into which it enters applies to judgments as well as to contracts and other transactions."); In re Village of Willowbrook, 37 Ill. App.2d 393 (1962) ("It is axiomatic that fraud vitiates everything.").

Title XXIX PUBLIC HEALTH

Chapter 403 ENVIRONMENTAL CONTROL [Entire Chapter](#)

SECTION 851

Declaration of policy intent.

403.851 Declaration of policy; intent.—It is the policy of the state that the citizens of Florida shall be assured of the availability of safe drinking water. Recognizing that this policy encompasses both environmental and public health aspects, it is the intent of the Legislature to provide a water supply program operated jointly by the department, in a lead-agency role of primary responsibility for the program, and by the Department of Health and its units, including county health departments, in a supportive role with specific duties and responsibilities of its own. Without any relinquishment of Florida’s sovereign powers and responsibilities to provide for the public health, public safety, and public welfare of the people of Florida, the Legislature intends:

- (1) To give effect to Pub. L. No. 93-523 promulgated under the commerce clause of the United States Constitution, to the extent that interstate commerce is directly affected.
- (2) To encourage cooperation between federal, state, and local agencies, not only in their enforcement role, but also in their service and assistance roles to city and county elected bodies.
- (3) To provide for safe drinking water at all times throughout the state, with due regard for economic factors and efficiency in government.

History.—s. 2, ch. 77-337; s. 162, ch. 79-400; s. 425, ch. 94-356; s. 164, ch. 99-8.

With this information above we ask that Judge Lawrence Johnston and all Florida Board of Engineer Members turn themselves in for US Treason and that Judge Lawrence Johnston recuse himself from this case and turn evidence for the US People IMMEDIATELY!

I HEREBY CERTIFY that a true and correct copy of the above information and Motion has been furnished to the Petitioner, Board of Engineers at 2639 North Monroe Street, Suite B-112, Tallahassee, Floridas 32303, related cases involving US Terrorism, School Boards, Federal Bureau of Investigation, local Police Stations across America, FDEP and the White House via email and court docket clerk on this 16th day of March, 2018.

Respectfully submitted,

Joe Gilberti

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