

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT, IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

JASON BLOCH,

Plaintiff,

CIVIL DIVISION

vs.

CASE NO.: 16-020524-CA-01 (09)

MARCIA DEL REY; STAND UP TO VIOLENCE,
an Electioneering Communications Organization;
JORGE ALBERTO BALLESTE, Chairperson of
Stand Up to Violence; CHRISTINA WHITE, solely
in her official capacity as Miami-Dade County
Supervisor of Elections; and KEN DETZNER,
solely in his official capacity as Florida Secretary of
State,

Defendants.

**ORDER GRANTING DEFENDANT MARCIA DEL REY'S
MOTION TO DISMISS PLAINTIFF'S COMPLAINT
FOR DECLARATORY AND INJUNCTIVE RELIEF**

THIS CAUSE came before this Court on Defendant Marcia Del Rey's Motion to Dismiss the Complaint for Declaratory and Injunctive Relief, and the Court having reviewed the motion and pleadings, having heard arguments of counsel, having analyzed the controlling law of the State of Florida, and being otherwise fully advised in the premises, the Court finds:

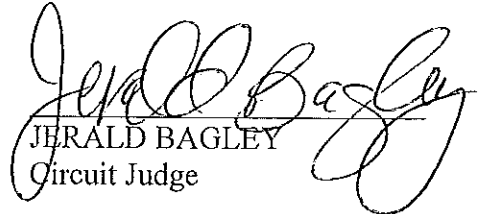
1. This is an action for both declaratory and injunctive relief to remove Defendant Del Rey as a judicial candidate in an election that is ongoing as this matter is heard by the Court. It is estimated that over 100,000 Miami-Dade County registered voters have cast their ballots since early voting commenced on August 15, 2016 and mail-in ballots were delivered to and mailed in by said voters for the August 30, 2016 primary election.
2. Plaintiff's complaint alleges, inter alia, that Defendant Del Rey should be disqualified as a judicial candidate due to her constitutionally defective Financial Disclosure Form

- 6 (specifically the “Form 6 – Full and Public Disclosure of Financial Interest”) filed with the Florida Division of Elections.
3. The Florida Division of Elections deemed Del Rey qualified and in compliance with all statutory requirements on May 3, 2016.
 4. Plaintiff could and should have filed a complaint alleging any “irregularities” as an administrative remedy before the Florida Commission on Ethics before seeking relief in the Court and he offered no valid reason to be excused from exhausting administrative remedies.
 5. The Court’s review of Del Rey’s Form 6 filed on or before May 3, 2016, shows that she has substantially complied with the requirement to submit a “full” disclosure of her 2015 financial interest, thereby satisfying both the constitutional and statutory requirements to have her name placed on the ballot as a judicial candidate for Circuit Court Judge, Group 9, in the Eleventh Judicial Circuit of the State of Florida.
 6. For this Court to grant the **extraordinary relief** sought by Plaintiff would not serve the public interest, but more importantly, would disenfranchise the citizens of Miami-Dade County from voting for the candidate of their choice.
 7. The Court concludes that Plaintiff’s complaint does not establish adequate grounds for declaratory and injunctive relief.

IT IS THEREFORE ORDERED and **ADJUDGED** that Defendant Del Rey’s Motion to Dismiss Plaintiff’s Complaint for Declaratory and Injunctive Relief is hereby **GRANTED**.

FURTHER, IT IS ORDERED AND ADJUDGED that Plaintiff’s complaint shall be dismissed against Defendants **Christina White**, in her official capacity as Miami-Dade County Supervisor of Elections and **Ken Detzner**, in his official capacity as Florida Secretary of State.

DONE AND ORDERED in Miami-Dade County, Florida, on this 26th day of August,
2016.


JERALD BAGLEY
Circuit Judge

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