

**Subject:** Judicial Nominating Commission violations?

**From:** [REDACTED]

**Date:** Thu, 02 Dec 2010 11:11:12 -0500

**To:** Bill Voges <wvoges@rootorg.com>

**CC:** rick.figlio@eog.myflorida.com

**BCC:** [REDACTED]

December 2, 2010

Mr. Voges:

As per the Uniform Rules of Procedure for Circuit Judicial Nominating Commissions, we submit to your office a complaint in which we have concerns that Commissioner Jolley violated several of those rules. These alleged violations occurred in the judicial nominating process for the replacement of retiring Judge Kennedy.

Please see the attached PDF file titled "JncComplaint" that outlines our concerns / complaint. Further, note the PDF attachment titled "jolleyemail" which appears to be a November 4, 2010 email by Commissioner Jolley. We believe the Jolley email supports our concerns / complaint.

Please be advised that further supportive documentation can be found at the below weblink.

<http://volusiaexposed.com/judgeship/jones2.html>

Sir, if you require additional information or need this complaint in a different format, please advised us and such will be provided.

Please use this email address as our point of contact.

Thank You

John Bandorf

Kim Bandorf

Albert L. Prevatt, Sr.

Susan Prevatt

cc:

Rick Figlio, General Counsel, Governor Crist

bcc

several media outlets

# Formal Written Complaint

## Perceived violations of Judicial Nominating Procedures

December 2, 2010

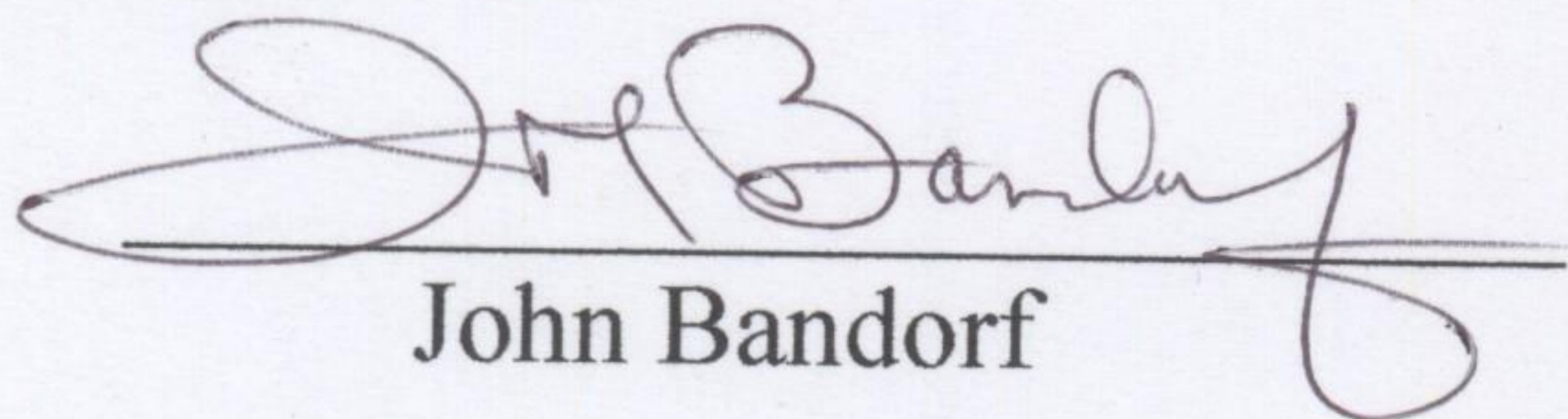
We, the undersigned, have concerns that several JNC Rules of Procedure were violated in regards to the nominating of candidates for the judicial position that will soon be vacated by retiring Judge Kennedy.

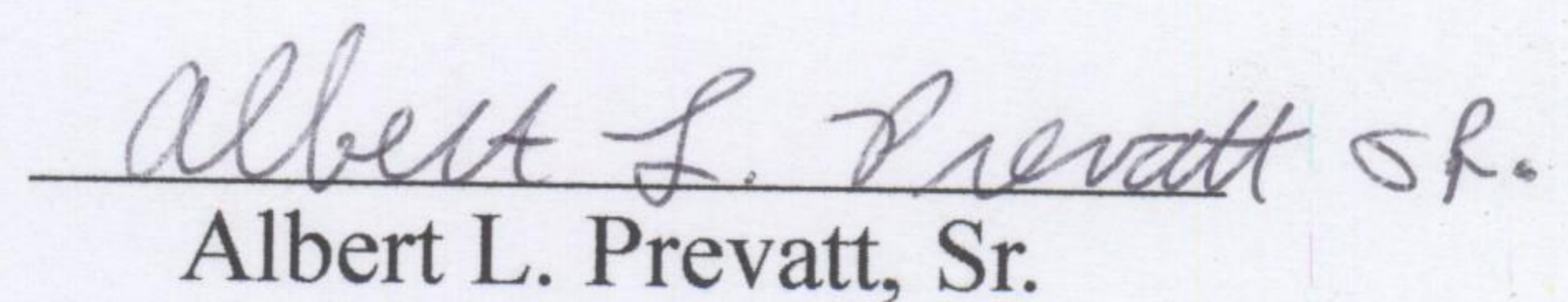
We believe that JNC Commissioner Jolley is in probable violation of several components of Section VIII (Ethical Responsibilities) of the Uniform Rules of Procedure for Circuit Judicial Nominating Commissions.

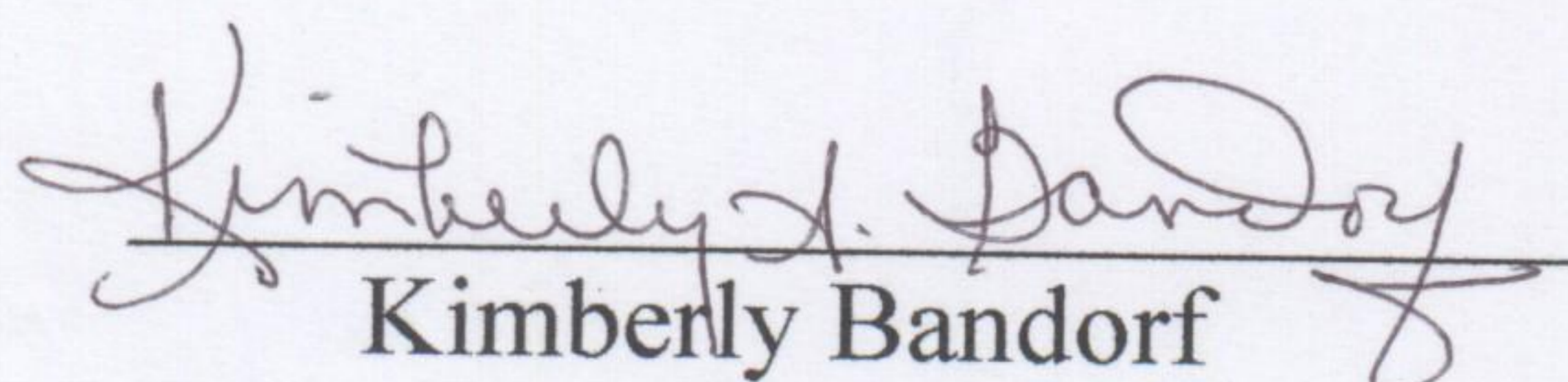
We have concerns that Commissioner Jolley reflected discredit upon the judicial selection process by disclosing partisanship or partiality in the consideration of applicants. We believe that Commissioner Jolley's November 4, 2010 email (see attached) not only publicly documented\* her partiality towards judicial candidate Nancye Jones, but such a communication could have easily been interpreted as a "ranking" of candidates by the entire JNC commission.

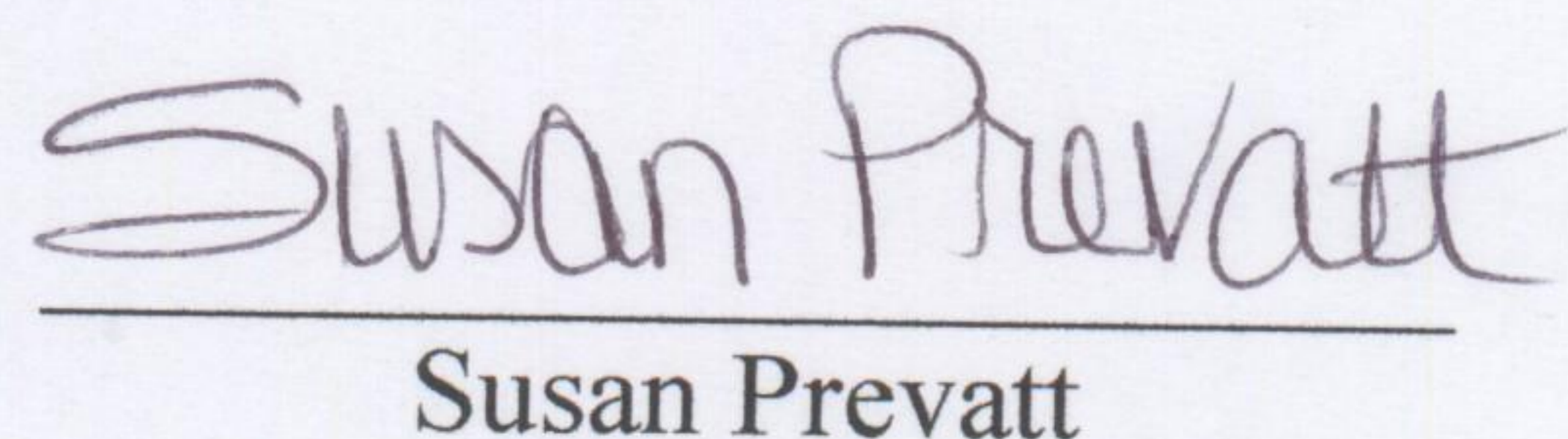
The November 4, 2010 Jolley email gives no obvious evidence that she was attempting to directly contact the Governor or his staff, the email does suggest that Commissioner Jolley was attempting to gain third party assistance in possibly influencing the Governor's ultimate decision.

We believe that Commissioner Jolley's actions should be reviewed and investigated. During such an investigation, it should be determined whether Commissioner Jolley made similar contacts, that as of yet, have not been discovered.

  
John Bandorf

  
Albert L. Prevatt, Sr.

  
Kimberly Bandorf

  
Susan Prevatt

\*emails from government employees' email accounts are public records

>>> "Andy Hagan" <ahagan@icihomes.com> 11/12/2010 9:42 AM >>>  
Hi Mary,

I was out of the office until yesterday. Congratulations on the new position! I have heard that the Co. Attorney's Office is a great place to work and I am sure that you will do very well there.

I am happy to put in a good word for **Nancye** to Mori. He too is out this week but I will have a chance to chat with him when he comes back in town on Monday.

I look forward to catching up with you and your family now that we are local. I cannot believe that Sean is starting high school! I am suddenly feeling very old.

Take care.

Andy

-----Original Message-----

From: Mary Jolley [mailto:mjolley@co.volusia.fl.us]

Sent: Thursday, November 04, 2010 9:49 AM

To: Andy Hagan

Subject: Hi - It's Mary Jolley

Hi Andy:

I thought I would send you a quick email because I know how busy you are. Not sure if you heard but I left the **Attorney General's Office** this summer (actually I think Lori applied for my old job!!) and am now in my **fourth month** at the County Attorney's Office here in Deland. I am loving it and feel so lucky to have gotten this opportunity. I heard that you guys are in Port Orange now and Sean's best friend lives in Water's Edge so we are out there all the time. Like yours, our kids are getting BIG and Sean starts high school next year, Matthew, like Abby, will start middle school, and Samantha will start kindergarten. Time sure does fly.

→ Andy, I just wanted to share with you that I now work side by side with **Nancye Jones**, a fellow Asst. County Attorney. As you many know, she has been nominated by the JNC and is one of the six names before the Governor for Judge Kennedy's seat on the circuit bench. **Nancye** has amazed me during my short tenure here as she handles so many different types of cases and she does it so incredibly well. While it would be a blow to me if she were appointed since I would no longer get to work with her and **she is such a mentor to me**, I do think that she would be such an asset to **our circuit court bench**.

Because I feel so strongly about her abilities and how much she could offer to **our local judiciary**, I really wanted to reach out to you with **the hope that maybe you could put in a good word for her with your boss**.

I know she has sent him her resume/information and has had several County Council members and the County Manager reach out to Mori on her behalf but I just wanted to do my part for her as well.

I would be so grateful for any help or support that you could provide for Nancye as she goes through this process for the second time. She did make the final three last spring when Judge Perkins was appointed and she is equally as strong, if not a stronger, candidate this time.

Thanks, Andy for anything you can do. I really do appreciate it.

Mary

Mary G. Jolley  
Assistant County Attorney  
County of Volusia  
123 West Indiana Avenue  
Suite 301  
DeLand, Florida 32720  
(386) 736-5950  
(386) 736-5990 (FAX)  
email: [mjolley@co.volusia.fl.us](mailto:mjolley@co.volusia.fl.us)