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**IN THE DISTRICT COURT OF APPEAL
OF THE STATE OF FLORIDA
FIRST DISTRICT**

CASE No.: _____
L.T. No.: 2016-CA-2890

SPRINGHILL MISSIONARY BAPTIST CHURCH, INC.

Petitioner,

v.

GERALD E. MOBLEY

Respondent.

PETITION FOR WRIT OF PROHIBITION TO BAR FURTHER PROCEEDINGS
IN A CASE PENDING IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

PETITION FOR WRIT OF PROHIBITION

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INTRODUCTION

The issue raised in this Petition is whether the trial court has subject-matter jurisdiction over this case pursuant to the ecclesiastical abstention doctrine. Defendant/Petitioner SPRINGHILL MISSIONARY BAPTIST CHURCH (the “Church”) moved to dismiss the initial Complaint filed by Plaintiff/Respondent GERALD E. MOBLEY (“Mr. Mobley”), arguing the trial court lacked subject-matter jurisdiction over Mr. Mobley’s lawsuit based on the ecclesiastical abstention doctrine. The trial court agreed and dismissed Mr. Mobley’s initial Complaint with leave to amend.

Mr. Mobley filed an Amended Complaint and the Church once again moved for dismissal pursuant to the ecclesiastical abstention doctrine. The Honorable Monica J. Brasington heard argument on the Church’s Motion and reserved ruling at the conclusion of the hearing. On March 1, 2017, the trial court entered an Order denying the Church’s motion without explanation. This Petition follows.

BASIS FOR INVOKING JURISDICTION

Article V, section 4(b)(3) of the Florida Constitution authorizes district courts of appeal to issue writs of prohibition. *See also* FLA. R. APP. P. 9.030(b)(3); FLA. R. APP. P. 9.100. Prohibition is the proper remedy to challenge the subject-matter jurisdiction of the lower tribunal. *See DHL Exp. (USA), Inc. v. State, ex rel. Grupp*, 60 So. 3d 426, 428 (Fla. 1st DCA 2011) (following trial court’s denial of

defendant's motion to dismiss for lack of subject-matter jurisdiction, defendant filed petition for writ of prohibition and the district court held: "First, we agree with petitioners that this court may grant a writ of prohibition in this circumstance, where there are no disputed issues of fact and the lower tribunal is poised to proceed without subject-matter jurisdiction.").

Judicial meddling in ecclesiastical disputes that fall within the purview of the ecclesiastical abstention doctrine constitutes an impermissible exercise of subject-matter jurisdiction. *See, e.g., Bilbrey v. Myers*, 91 So. 3d 887, 891 (Fla. 5th DCA 2012) (discussing the ecclesiastical abstention doctrine and holding: "We agree that the issue is best treated as a matter of subject-matter jurisdiction."); *SE Conference Ass'n of Seventh-Day Adventists, Inc. v. Dennis*, 862 So. 2d 842, 844 (Fla. 4th DCA 2003) (granting petition for writ of prohibition based on ecclesiastical abstention doctrine); *Archdiocese of Miami, Inc. v. Minagorri*, 954 So.2d 640, 641 (Fla. 3d DCA 2007) (granting petitioner relief pursuant to doctrine but withholding issuance of writ of prohibition on assumption trial court would comply with opinion).

For the reasons explained below, this Court should exercise authority to grant the instant Petition and bar any further proceedings in this case.

STATEMENT OF THE FACTS

A. THE DISMISSAL OF THE INITIAL COMPLAINT UNDER THE ECCLESIASTICAL ABSTENTION DOCTRINE

Mr. Mobley filed his initial Complaint against the Church on August 16, 2016. (A.1-4). The initial Complaint contained counts for Slander and Libel.¹ As factual support for both claims, Mr. Mobley alleged² Pastor Adrian Taylor and Deacon Curtis Phillips falsely accused Mr. Mobley of “Heresy against [his] faith” during a May 10, 2015 “Special Meeting” of “The Deacon Board.” (A.3). As a result of the false heresy accusations, Mr. Mobley alleged he was “summarily stripped” of his “Official Service Responsibilities” as an “Honorable Deacon” and a “Member In Good Standing” on the Church’s “Board of Deacons.” (A.3).

In the Slander count, Mr. Mobley alleged Pastor Taylor and Deacon Phillips “erroneously accuse[d] [Mr. Mobley] of being a Heretical Apostate committing acts against [his] Church, Spiritual Beliefs, Faith and God orally and publicly in the presence of members of [his] Church Community/Family.”³ (A.3). In the Libel

¹ The initial Complaint also contained a count for “Violation of My US Constitutional Rights in Accordance with its First Amendment.” (A.4). Mr. Mobley did not include a similar count in his Amended Complaint, so those allegations are not pertinent to these proceedings.

² Mr. Mobley appeared *pro se* throughout the underlying proceedings.

³ The Slander count does not contain allegations regarding the time and place of this purported statement. Presumably, Mr. Mobley was referring to the statements allegedly made during the May 10 meeting.

count, Mr. Mobley alleged Pastor Taylor and Deacon Phillips published the “defamatory words” anew when they “distribut[ed] the fraudulent accusation” in a “mortifyingly embarrassing open letter made available to all of the members and full body of [Mr. Mobley’s] Church Community.” (A.3). The “open letter” was not attached to the initial Complaint.

The Church moved to dismiss, primarily based on the ecclesiastical abstention doctrine, and secondarily on grounds the alleged defamatory statements were not actionable as a matter of law. (A.5-13). After reviewing “the Complaint, arguments, and Florida’s applicable case law,” the trial court entered an Order granting the Church’s Motion to Dismiss based on the “Church Autonomy Doctrine.” (A.14-15). The trial court granted Mr. Mobley leave “to file an amended complaint that alleges additional facts, as appropriate, that may exist that will allow this Court to exercise subject matter jurisdiction over this matter.” (A.15).

B. MR. MOBLEY’S AMENDED COMPLAINT

Mr. Mobley filed his Amended Complaint on November 28, 2016. (A.16-31). The Amended Complaint does not provide additional facts that bear on subject matter jurisdiction. Instead, the initial Complaint’s myriad allegations that

triggered application of the ecclesiastical abstention doctrine were simply recast in secular terminology in the Amended Complaint,⁴ or omitted altogether.

Allegations regarding the heresy accusation purportedly published by Pastor Taylor and Deacon Phillips are not included in the Amended Complaint. Also absent are allegations of Mr. Mobley's removal from various Church leadership positions as a result of the heresy accusation. Rather, the allegations contained in the Amended Complaint are generic:

Count I: “. . . through maliciously spoken erroneous words . . . falsely accusing Plaintiff of making statements which co-defendants recognized to be under common nomenclature expressions understood to demonstrate a showing of critical or disrespectful attitudes of a disparaging derogatory nature . . .”

Count II: “. . . through malicious libelous acts and publicly . . . falsely accusing in published written form Plaintiff of making statements which co-defendants recognized to be by common nomenclature expression understood to demonstrate a showing of critical or disrespectful attitudes of a disparaging derogatory nature. . .”

Count III⁵: “. . . through malicious slander and libelous acts erroneously and publicly . . . falsely accusing Plaintiff of making statements which co-defendants recognized to be under common nomenclature expressions understood to demonstrate a showing of critical or disrespectful attitudes of a disparaging derogatory nature . . .”

⁴ For instance, the initial Complaint alleged the defamatory statements were published to “members of [Mr. Mobley's] Church Community/Family” and the “Board of Deacons.” (A.3). In the Amended Complaint, however, the publication allegedly was to “third parties throughout our *close-nit* [sic] *community*” (A.18) (emphasis in original).

⁵ Count III was for “Actual Malice and Negligent Deformation [sic].” (A.24).

(A.23-24).

Although new facts are not alleged, the Amended Complaint includes extensive legal argument, replete with case citations, regarding the basis for subject-matter jurisdiction and the inapplicability of the ecclesiastical abstention doctrine. For instance, Mr. Mobley argued:

The institution's doctrine, respectfully, nor my beliefs have any relevance in or to this case, and should not be allowed to play any part in [the Church's] defense, in that the long standing Legal Maxim remains secured valid and judicially sound that "a matter not before the court is not a matter of the court." And with that, it would not be proper for the court to grant any provisions which may afford the defense any opportunity of inveigling the court into the minutia of non germane material not before it as an appeal staging tactic on grounds irrelevant to this cause of action, i.e. any restrictive immaterial issues pertaining to faith, beliefs or any affairs substantive or considerable as pertinent in any manner to the Ecclesiastical Abstention Doctrine.

(A.22).

Notwithstanding the paucity of affirmative factual allegations, Mr. Mobley's Amended Complaint did provide additional information pertinent to subject-matter jurisdiction. The "open letter" referenced in the initial Complaint was attached to the Amended Complaint as an exhibit. The March 26, 2015 "open letter" from Pastor Taylor and Deacon Phillips to Mr. Mobley reads as follows:

Mr. Mobley:

With deep regret, this letter is to inform you that your membership with the Springhill Missionary Baptist Church of Gainesville is terminated. The effective date of this action is Tuesday, March 10,

2015 by unanimous vote of the general membership, during a special called meeting.

This action was required because of heretical statements you have made publicly and privately to several members. Heresy is statements or opinions, grossly at odds with orthodox Christian doctrine. There are no clearer examples of a heretical position, than your current state of positions.

Those heretical statements are as follows:

"The Bible is a man made, reconstructed book, with lies in it."

— Denial of the inerrancy, and absolute truth of the Scriptures, which is against 2 Timothy 3:16-17

— And rejection of Jesus Christ, as the Son of God, which is against Romans 10:8-11, Philippians 2:5-12, Colossians 1:15-18, and Colossians 1:19-20.

Please understand that we are not angry with you, nor consider you an enemy. However, action was required to maintain the integrity of our church's doctrine, and to protect the church from false teaching. Moreover, 2 Thessalonians 3:6[,] [“]Now we command you, brethren, in the name of our Lord Jesus Christ, that ye withdraw yourselves from every brother that walketh disorderly, and not after the tradition which he received of us.[“]

We will continue praying for your repentance, and hoping for reconciliation. God loves you greatly, as does the Springhill Church. We LOVE YOU as Christ has commanded us to love. As a demonstration of that love we are taking corrective action, hoping you will understand the grave nature of your doctrinal errors, and stop all false teaching. Furthermore, we pray you will accept Jesus, as God's only Son, and man's only Savior.

(A.26-28). The letter cites multiple biblical passages, and concludes: “Please contact us if you need prayer, or want to study the truth of God’s holy word.”

(A.28).

C. PROCEEDINGS ON THE CHURCH’S MOTION TO DISMISS THE AMENDED COMPLAINT

The Church moved to dismiss the Amended Complaint, arguing again Mr. Mobley’s suit was barred by the ecclesiastical abstention doctrine. (A.32-40). The Church maintained the “open letter” represented the only portion of the Amended Complaint which could be construed as factual allegations in support of Mr. Mobley’s claims. (A.33-34). Further, the Church argued the contents of the letter made clear Mr. Mobley’s lawsuit fell squarely within the ecclesiastical abstention doctrine. (A.34). Mr. Mobley filed a response to the Church’s Motion to Dismiss the Amended Complaint (A.62-66), and the matter was set for hearing on February 17, 2017 (A.67-85).

At the hearing, the Church argued the determination of subject-matter jurisdiction under the ecclesiastical abstention doctrine focused on the content and context of the allegedly defamatory statement, not whether Mr. Mobley actually made the statement. (A.71). According to the Church, the content — a statement about the authenticity of the Bible — was firmly anchored in church doctrine. (A.71). And the context — the continued service of a voluntary deacon and his membership status with the Church — framed the dispute as involving church governance and administration. (A.71).

After hearing Mr. Mobley’s response, the trial court explained the “couple of cases” cited by Mr. Mobley had not been reviewed, and the Court needed to do so

“to see if either of those cases would show me that your situation falls into one of the exceptions” to the ecclesiastical abstention doctrine. (A.75). The trial court further explained to Mr. Mobley:

If, though, I read these cases and they don’t show me that this kind of situation falls in the exception and it’s still the general rule that me as a circuit judge, sitting here in this court of law in the State of Florida, isn’t allowed to get involved in the church’s business, then I would have to dismiss it and dismiss it with prejudice, which means you couldn’t bring it again because anything you would say – you’ve sort of already alleged all of the facts. It still wouldn’t get us where we need to go to hear this case.

(A.77). The trial court reserved ruling, and announced after reviewing Mr. Mobley’s cases, the trial court would enter “either an order granting [the Church’s] motion to dismiss with prejudice or it would be an order denying the motion to dismiss” with instructions the Church file an answer. (A.77-78).

On March 1, 2017, the trial court entered an order denying the Church’s Motion to Dismiss Mr. Mobley’s Amended Complaint without explanation, and instructed the Church to file a responsive pleading within 10 days. (A.86-87). This Petition follows.

NATURE OF RELIEF SOUGHT

The nature of the relief sought in this Petition is a Writ of Prohibition precluding the trial court from conducting further proceedings in this case. This Court should grant the Church’s Petition and issue the Writ because the trial court

lacks subject-matter jurisdiction over this lawsuit pursuant to the ecclesiastical abstention doctrine.

ARGUMENT AND CITATIONS OF AUTHORITY

I. THE TRIAL COURT LACKS SUBJECT-MATTER JURISDICTION OVER MR. MOBLEY’S LAWSUIT PURSUANT TO WELL-ESTABLISHED LAW INTERPRETING THE ECCLESIASTICAL ABSTENTION DOCTRINE.

The ecclesiastical abstention doctrine, known also as the “religious autonomy principle,” *Malicki v. Doe*, 814 So.2d 347, 355 n. 6 (Fla. 2002), is a product of both the Free Exercise Clause and the Establishment Clause of the First Amendment. The doctrine gives a special, protected status to certain religious disputes by shielding them from court intervention. In *Malicki*, the Florida Supreme Court described the ecclesiastical abstention doctrine as follows:

[T]he First Amendment prevents courts from resolving internal church disputes that would require adjudication of questions of religious doctrine. For example, the [United States] Supreme Court has stated that “it is not within ‘the judicial function and judicial competence’” of civil courts to determine which of two competing interpretations of scripture are correct. *United States v. Lee*, 455 U.S. 252, 256, 102 S.Ct. 1051, 71 L.Ed.2d 127 (1982). Instead, civil courts must defer to the interpretations of religious doctrine made by the “highest ecclesiastical tribunal.” *Serbian E. Orthodox Diocese [for U.S.A. & Canada v. Milivojevich]*, 426 U.S. [696,] 709, 96 S.Ct. 2372, 49 L.Ed.2d 151 [(1976)]. Thus, the First Amendment provides churches with the “power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.” *Kedroff [v. St. Nicholas Cathedral of Russian Orthodox Church in N. Am.]*, 344 U.S. [94,] 116, 73 S.Ct. 143, 97 L.Ed. 120 [(1952)].

Malicki, 814 So.2d at 355–56 (footnote and other internal citations omitted).

However, a First Amendment violation does not occur, *ipso facto*, simply because resolution of a case requires examination of church law or policies. When a “church-related dispute can be resolved by applying neutral principles of law without inquiry into religious doctrine and without resolving a religious controversy, the civil courts may adjudicate the dispute.” *Rosenberger v. Jamison*, 72 So. 3d 199, 203 (Fla. 1st DCA 2011). The Florida Supreme Court described the test in *Malicki*:

A court thus must determine whether the dispute is an ecclesiastical one about “discipline, faith, internal organization, or ecclesiastical rule, custom or law,” or whether it is a case in which [it] should hold religious organizations liable in civil courts for purely secular disputes between third parties and a particular defendant, albeit a religiously affiliated organization.

Malicki, 814 So.2d at 357 (citations and other internal quotation marks omitted).

In this case, Mr. Mobley’s efforts to avoid a second dismissal under the ecclesiastical abstention doctrine resulted in an Amended Complaint completely bereft of meaningful factual allegations. The March 26, 2015 “open letter” contains the only factual information that would have enabled the trial court to assess whether the “dispute” described in Mr. Mobley’s Amended Complaint was ecclesiastical or secular.

As argued by the Church in its Motion to Dismiss the Amended Complaint, the trial court was required to consider the letter when it ruled. (A.33) (citing FLA. R. CIV. P. 1.130(b) (“[a]ny exhibit attached to a pleading shall be considered a part

thereof for all purposes.”)); *see also Abele v. Sawyer*, 750 So. 2d 70, 74 (Fla. 4th DCA 1999) (holding that “[w]hile the court must confine its review to the four corners of the complaint and must accept as true all well-pleaded allegations, the exhibits are encompassed within the four corners of the complaint and must be considered therewith.”) (internal citation omitted).

The contents of the March 26, 2015 “open letter” establish what Mr. Mobley hoped to obfuscate when he amended his initial Complaint: his “dispute” is ecclesiastical, not secular. The letter contains the only identifiable statement in the Amended Complaint which would plausibly give rise to Church liability for slander or libel: that Pastor Taylor and Deacon Phillips falsely accused Mr. Mobley of heresy for proclaiming “the Bible is a man made, reconstructed book, with lies in it.” (A.26-28).

According to the letter, Mr. Mobley’s statement violated various biblical teachings and contravened the “orthodox Christian doctrine” espoused by the Church. (A.26). The basis for the decision to remove Mr. Mobley from his Church leadership positions as a result of the heretical statements was a desire “to maintain the integrity of our church’s doctrine, and to protect the church from false teaching.” (A.26). These are matters of “faith” and “ecclesiastical rule” or “custom” under *Malicki*.

The letter also establishes Mr. Mobley's dispute concerns Church "discipline" and "internal organization." According to the letter, the purpose of the March 10, 2015 "special called meeting" was to vote on whether Mr. Mobley should be removed from his positions with the Church. (A.26-28). And the purpose of the letter was to inform Mr. Mobley of the decision reached at the March 10 meeting and to provide an explanation for the Church's disciplinary action. (A.26-28).

Florida law is clear: under the ecclesiastical abstention doctrine, courts are precluded from exercising jurisdiction where the dispute at issue involves a disciplinary decision resulting in termination of a clergy member's employment or expulsion from membership. *See, e.g., Minagorri*, 954 So. 2d at 641, 642 ("Courts may not consider employment disputes between a religious organization and its clergy because such matters necessarily involve questions of internal church discipline, faith, and organizations that are governed by ecclesiastical rule, custom, and law."); *Partin v. Tucker*, 172 So. 89, 93 (1937) ("It appears to us that it must be conceded...that when a religious congregation, such as is here involved, at a regular conference meeting withdraws from, or, in other words, expels members, that action is final and the courts cannot interfere to reinstate them...").

Finally, although Mr. Mobley suggested at various times in the lower court proceedings defamation claims cannot fall within the purview of the doctrine,

Florida law holds otherwise. *See, e.g., Kond v. Mudryk*, 769 So. 2d 1073, 1075 (Fla. 4th DCA 2000) (affirming trial court’s dismissal of appellants’ slander claims because “an adjudication of such claims would result in excessive government entanglement with church policies, procedures, practices, and bylaws,” contrary to the First Amendment); *Goodman v. Temple-Shir Ami, Inc.*, 712 So. 2d 775, 777 (3d DCA 1998) (affirming dismissal of defamation claim by Rabbi and against a board member where Rabbi alleged termination resulted from board member’s statement at Temple board meeting that Rabbi was in a physical altercation; to resolve defamation claim trial court “would have had to immerse itself in religious doctrines and concepts and ‘determine’ whether the religious disagreements were a ‘valid’ basis for the termination.”).

In sum, Mr. Mobley’s lawsuit concerns ecclesiastical “discipline, faith, internal organization” and “ecclesiastical rule, custom or law.” *Id.* This lawsuit is not a “purely secular” dispute “between third parties” and a “particular defendant” which happens to be a “religiously affiliated organization.” *Id.* Under the basic test announced in *Malicki*, the trial court should have, but failed to dismiss the Amended Complaint for want of jurisdiction.

Given the trial court’s unelaborated denial of the Motion to Dismiss the Amended Complaint, the basis for the denial is difficult to assess. The trial court recognized the ecclesiastical abstention doctrine applies to this case, as evidenced

by the dismissal of Mr. Mobley’s initial Complaint based on the doctrine. (A.15). And at the hearing on the Church’s Motion to Dismiss the Amended Complaint, the trial court reiterated the applicability of the doctrine, but reserved ruling to assess whether — based on two cases cited by Mr. Mobley — the allegations contained in the Amended Complaint fell within “the exception” to the “general rule” prohibiting Florida courts from getting “involved in the church’s business.” (A.77).

Neither of the two cases cited by Mr. Mobley supports the trial court’s denial of the Church’s Motion to Dismiss the Amended Complaint. For instance, *Jones v. Wolf*, 433 U.S. 595 (1979), cited in the “Jurisdiction” section of the Amended Complaint (A.18), concerned a dispute over ownership of church property following a schism in a local church. A “minority” faction of the church was deemed to be the owner of the property by a church commission. The “majority” faction filed suit and prevailed at the state court level. *Id.* at 597, 598. The Georgia Supreme Court upheld the trial court’s application of “neutral principles of law” in finding in favor and entering judgment for the “minority” faction. *Id.* at 599. The U.S. Supreme Court acknowledged under circumstances where the court can scrutinize the property and other related documents in purely secular terms, “neutral principles of law” can be applied in church property disputes. *Id.* at 602, 603. The *Jones* case stands for the uncontroversial

proposition a determination of property ownership by a church organization can potentially be determined by neutral principles of law and reviewed in court. *Jones* is clearly distinguishable from this case, which is based on disciplinary decisions concerning a voluntary deacon and church member due to a violation of essential church doctrine and biblical teachings.

In the South Carolina Supreme Court case of *Ira Banks, et al. v. St. Matthew Baptist Church and Clinton Brantley*, 750 S.E. 2d 605 (S.C. 2013), three trustees brought a defamation claim based upon statements made by Pastor Brantley at a congregational meeting.⁶ The circuit court dismissed the defamation claim for lack of subject-matter jurisdiction and the Court of Appeals reversed. *Id.* at 606, 607. The South Carolina Supreme Court affirmed, noting the statements Pastor Brantley allegedly made at the church meeting were “. . . the trustees failed to inform him of the mortgage on the church property, failed to insure church property, mismanaged – and impliedly stole – the church’s money, as well as lied to him.” *Id.* at 607.

The Supreme Court described the statements as simple declarative statements about the actions of the trustees: “The truth or falsity of such statements can easily be ascertained by a court without any consideration of religious issues or doctrines.” *Id.* The Supreme Court noted the fact the statements

⁶ The plaintiffs also brought a claim for intentional infliction of emotional distress, the dismissal of which was affirmed on appeal.

were made at a congregational meeting did not necessarily preclude the application of neutral principles of law. *Id.* at 608.

The reason the case *sub judice* is easily distinguishable from *Ira Banks* was perfectly articulated by the *Ira Banks* Court later in the opinion:

The contours of the neutral principles of law approach in this context and the susceptibility of the defamation claim to that approach are perhaps best illustrated by considering a defamation claim that would *not* be subject to the approach. Had the pastor stated that the trustees were sinners, were not true followers of God, or had violated church law, the resulting defamation claim would not be susceptible to resolution through the neutral principles approach because to adjudicate the claim would require a circuit court to wade into church doctrine and governance.

Id. The statements identified in the “open letter” attached to Mr. Mobley’s Amended Complaint are tantamount to a statement Mr. Mobley was a sinner and not a true follower of God. Moreover, the letter specifically accused Mr. Mobley of violating the Church’s orthodox principles. The trial court did not need to look any further than the *Ira Banks* opinion itself to understand why the case is distinguishable from this case.

CONCLUSION

This Court should grant the Church’s Petition. The trial court lacks subject-matter jurisdiction over Mr. Mobley’s claims pursuant to the ecclesiastical abstention doctrine. At the hearing on the Motion to Dismiss, the trial court explained if the allegations in the Amended Complaint did not give rise to an

exception to the ecclesiastical abstention doctrine, dismissal with prejudice was the appropriate remedy because Mr. Mobley “already alleged all of the facts.” (A.77). The trial court simply misapprehended the law. Based on the application of well-settled Florida law to “all of the facts” alleged by Mr. Mobley in his Amended Complaint, the trial court lacks subject-matter jurisdiction, and this Court should prohibit further proceedings in this case.

DATED this 27th day of March, 2017.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify on March 27, 2017, a copy of this pleading was filed via the EDCA system and mailed via U.S. mail to: Gerald E. Mobley, 915 NE 10th Place, Gainesville, FL 32601 (mobleyky@yahoo.com).

s/Michael M. Brownlee
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CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that this Petition complies with the font requirements of Rule 9.100(1) of the Florida Rules of Appellate Procedure.

/s/Michael M. Brownlee
Michael M. Brownlee, B.C.S.