

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION



MICHAEL KIM,

Plaintiff,

v.

Case No: 8:20-cv-3041-MSS-AAS

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
FLORIDA, UNITED STATES  
BANKRUPTCY COURT FOR THE  
MIDDLE DISTRICT OF FLORIDA,  
UNITED STATES OF AMERICA, MARY  
S. SCRIVEN, ASHLEY MOODY,  
SAMANTHA-JOSEPHINE BAKER, and  
HUNTER CARROLL,

Defendants.

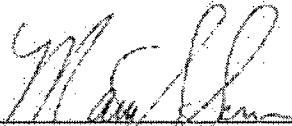
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**ORDER**

**THIS CAUSE** comes before the Court *sua sponte*. Upon examination of the file in the above-styled action, the Undersigned has determined that there is cause for recusal. Specifically, the Undersigned is named as a Defendant in this action.

Accordingly, pursuant to 28 U.S.C. § 455(a), the Undersigned recuses herself from all further participation in this case. The Clerk of the Court is instructed to reassign this case to another District Judge under the blind filing system established pursuant to the rules of this Court.

**DONE** and **ORDERED** in Tampa, Florida, this 22nd day of December 2020.

  
\_\_\_\_\_  
MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

**Copies furnished to:**  
Counsel of Record  
Any Unrepresented Person

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

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MICHAEL KIM,

Plaintiff,

v.

Case No: 8:20-cv-3041-T-30AAS

UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF FLORIDA,  
UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF  
FLORIDA, UNITED STATES OF  
AMERICA, MARY S. SCRIVEN, ASHLEY  
MOODY, SAMANTHA-JOSEPHINE  
BAKER and HUNTER CARROLL,

Defendants.

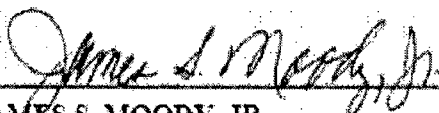
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**ORDER**

This cause comes before the Court on its own motion. Upon examination of the file in the above styled action, there is cause for recusal due to the undersigned's familial relationship to Ashley Moody, Attorney General of the State of Florida, who is a named defendant in this action.

Accordingly, the undersigned recuses himself from all further participation in this case. The Clerk of the Court is instructed to reassign this case to another District Judge under the blind filing system established pursuant to the rules of this Court.

**DONE** and **ORDERED** in Tampa, Florida, this December 22, 2020.

  
\_\_\_\_\_  
**JAMES S. MOODY, JR.**  
**UNITED STATES DISTRICT JUDGE**

**Copies furnished to:**  
Counsel/Parties of Record

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION



MICHAEL KIM,

Plaintiff,

v.

Case No: 8:20-cv-3041-T-36AAS

UNITED STATES DISTRICT  
COURT FOR THE MIDDLE  
DISTRICT OF FLORIDA, UNITED  
STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF  
FLORIDA, UNITED STATES OF  
AMERICA, MARY S. SCRIVEN,  
ASHLEY MOODY, SAMANTHA-  
JOSEPHINE BAKER and HUNTER  
CARROLL,

Defendants.

\_\_\_\_\_ /


**ORDER**

This matter comes before the Court on Plaintiff Michael Kim's motion to recuse the undersigned Judge (Doc. 17). Plaintiff filed this case on December 21, 2020, naming as a Defendant, among others, the "United States District Court for the Middle District of Florida." As a member of the United States District Court for the Middle District of Florida, the undersigned finds that she must recuse herself pursuant to 28 U.S.C. § 455(b)(5). Additionally, the undersigned finds it appropriate to recuse herself so as to avoid even the appearance of partiality or impropriety. *See* 28 U.S.C. § 455(a). Accordingly, it is therefore

**ORDERED:**

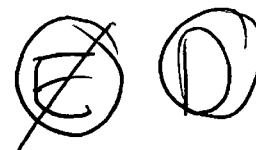
1. Plaintiff's motion (Doc. 17) is **GRANTED**.
2. In light of Plaintiff's request, the undersigned hereby disqualifies herself from these proceedings, pursuant to 28 U.S.C. §§ 455(a) and 455(b)(5).
3. The undersigned requests Chief United States District Judge Timothy J. Corrigan to reassign this case.

**DONE AND ORDERED** in Tampa, Florida on December 29, 2020.

  
Charlene Edwards Honeywell  
United States District Judge

Copies to:  
Chief United States District Judge Timothy J. Corrigan  
Counsel of Record  
Unrepresented parties

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION



**MICHAEL KIM,**

**Plaintiff,**

v.

**Case No: 8:20-cv-2934-T-35CPT**

**THE TWELFTH JUDICIAL CIRCUIT COURT, HUNTER W. CARROLL, an individual, MICHAEL MORGAN, an individual, WESTWATER CONSTRUCTION, INC., a Florida corporation, MARK S. MILLER, an individual, SHIRIN M. VESELY, an individual, SADDLE OAK ESTATES COMMUNITY ASSOCIATION, INC., a Florida corporation, PAVEL BALCAR, an individual, inclusive, STATE OF FLORIDA, ATTORNEY GENERAL, STATE OF FLORIDA, ASHLEY MOODY, an individual, SAMANTHA-JOSEPHINE BAKER, an individual, UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA, Tampa Division, UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF FLORIDA, Tampa Division, UNITED STATES OF AMERICA, and MARY S. SCRIVEN, an individual, Inclusive,**

**Defendants.**

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**ORDER**

This matter comes before the Court *sua sponte*. On January 3, 2021 Plaintiff filed his First Amended Complaint, naming as Defendants, among others, the Undersigned and the "United States District Court, Middle District of Florida." (Dkt. 19) As a named defendant and a member of the United States District Court for the Middle District of

Florida, the Undersigned finds that she must recuse herself pursuant to 28 U.S.C. § 455(a). Accordingly, it is hereby **ORDERED** as follows:

1. The Undersigned disqualifies herself from these proceedings, pursuant to 28 U.S.C. § 455(a).
2. The Undersigned requests Chief United States District Judge Timothy J. Corrigan to reassign this case.

**DONE and ORDERED** in Tampa, Florida this 5th day of January 2021.



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MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

Copies furnished to:  
Chief United States District Judge Timothy J. Corrigan  
Counsel of Record  
Any Unrepresented Party



**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**



MICHAEL KIM, an individual,

Plaintiff,

v.

Case No. 8:20-cv-2934-T-35CPT

THE TWELFTH JUDICIAL  
CIRCUIT COURT, HUNTER W.  
CARROLL, an individual,  
MICHAEL MORGAN, an  
individual, WESTWATER  
CONSTRUCTION INC., a Florida  
corporation, MARK S. MILLER, an  
individual, SHIRIN M. VESELY, an  
individual, SADDLE OAK  
ESTATES COMMUNITY  
ASSOCIATION, INC., a Florida  
corporation, PAVEL BALCAR, an  
individual, inclusive, STATE OF  
FLORIDA, ATTORNEY GENERAL,  
STATE OF FLORIDA, ASHLEY  
MOODY, an individual,  
SAMANTHA-JOSEPHINE BAKER,  
an individual, UNITED STATES  
DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF FLORIDA,  
Tampa Division, UNITED STATES  
BANKRUPTCY COURT FOR THE  
MIDDLE DISTRICT OF FLORIDA,  
Tampa Division, UNITED STATES  
OF AMERICA, and MARY S.  
SCRIVEN, an individual, inclusive,

Defendants.

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MICHAEL KIM, an individual,

Plaintiff,

v.

Case No. 8:20-cv-3041-T-36AAS

UNITED STATES DISTRICT  
COURT FOR THE MIDDLE  
DISTRICT OF FLORIDA, UNITED  
STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF  
FLORIDA, UNITED STATES OF  
AMERICA, MARY S. SCRIVEN, an  
individual, ASHLEY MOODY, an  
individual, SAMANTHA-  
JOSEPHINE BAKER, an  
individual, and HUNTER  
CARROLL, an individual,

Defendants.

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**ORDER**

These cases are before the Court on referral to the undersigned as Chief Judge from the assigned district judges who have recused themselves and request that the cases be reassigned to another judge. See Orders, Doc. 21 in Case No. 8:20-cv-2934 and Doc. 18 in Case No. 8:20-cv-3041. Both lawsuits are ad hominem attacks by pro se plaintiff Michael Kim against anyone and everyone associated with his underlying legal issues, including federal judges, a state court judge, the entire Twelfth Judicial Circuit, Florida's attorney general, the entire Middle District of Florida, the Bankruptcy Court, the United

States, and anyone else Kim deems to have played any role in his legal troubles. Because Kim's tactics involve suing any judge who rules against him,<sup>1</sup> the undersigned declines to ask yet another judge to become a target and likely new defendant in this frivolous and vexatious litigation and will instead assign both cases to himself. Kim's attempts to prolong litigation by suing every judge need not be tolerated. See, e.g., Gullett-El v. Corrigan et al., No. 3:17-cv-881-J-32JBT (M.D. Fla. August 1, 2017) (Doc. 6); Cuyler v. Presnell, No. 6:11-cv-623-Orl-22DAB (M.D. Fla. July 8, 2011) (Doc. 9 at 2 ¶ 2) ("The Court will not further enable the Plaintiffs in their abusive strategy of judge-shopping. Under these unique circumstances, the undersigned judge determines that her recusal is unwarranted.").

Further, having now reviewed these complaints, they are both due to be dismissed in their entirety. The named judges enjoy absolute judicial immunity for acts in their role as judges, see, e.g., McCree v. Griffin, No. 19-14646-A, 2020 WL 2632329, at \*1 (11th Cir. May 20, 2020), and the allegations against the other defendants, as pleaded, are frivolous. See, e.g., Mallard v.

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<sup>1</sup> For example, on October 22, 2020 in Kim v. McEwen, et al., No. 8:20-cv-2225-T-02TGW, the Honorable William F. Jung dismissed a lawsuit filed by Kim against a bankruptcy judge and a state court judge on the basis of absolute judicial immunity. See Order, Doc. 48, in No. 8:20-cv-2225-T-03TGW. Kim then proceeded to sue Judge Jung, among others, in Kim v. United States, et al., No. 8:20-cv-2791-T-60AAS. The Honorable Thomas P. Barber dismissed the suit against Judge Jung (and the bankruptcy judge named again) based on judicial immunity. See Order, Doc. 3, in No. 8:20-cv-2791-T-60AAS.

U.S. Dist. Court, 490 U.S. 296, 307-08 (1989); Cuyler v. Aurora Loan Servs., LLC, No. 12-11824, et al., 2012 WL 10488184, at \*2 (11th Cir. Dec. 3, 2012) (explaining that, notwithstanding the payment of any filing fee, “a district court has the inherent authority to dismiss a patently frivolous complaint”).<sup>2</sup> Moreover, although the Court would ordinarily allow a plaintiff (especially one proceeding pro se) at least one opportunity to amend a complaint in an attempt to state a claim, it need not do so where such attempt would be futile. See, e.g., McCree, 2020 WL 2632329, at \*1. Such is the case here—the two complaints before the Court are consistent with Kim’s history of vexatious and frivolous litigation and further judicial resources need not be diverted to Kim’s attempt to abuse the judicial process.<sup>3</sup>

Accordingly, it is hereby

**ORDERED:**

1. The Clerk is directed to reassign both of these cases to the undersigned.
2. These cases are **DISMISSED with prejudice**.

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<sup>2</sup> It may be that at one time Kim had a real complaint against some party, but these lawsuits, as constituted, are frivolous.

<sup>3</sup> As further evidence of Kim’s abuse of process, Kim obtained the home address of one of the judges named in the complaint and had a process server serve the judge at home. This presents an obvious judicial security issue.

3. The Clerk shall terminate all pending motions and deadlines and shall close the files.

**DONE AND ORDERED** in Jacksonville, Florida this 7th day of January, 2021.



*Timothy J. Corrigan*

TIMOTHY J. CORRIGAN  
Chief United States District Judge

tnm/s  
Copies:

Honorable Mary S. Scriven  
United States District Judge

Honorable Charlene Edwards Honeywell  
United States District Judge

Counsel of record

Pro se Plaintiff

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION



MICHAEL KIM,

Plaintiff,

v.

Case No. 8:20-cv-2934-TJC-CPT

THE TWELFTH JUDICIAL  
CIRCUIT COURT, et al.,

Defendants.

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**ORDER**

This case is before the Court on pro se plaintiff's Motion for Permission to Appeal In Forma Pauperis and Affidavit (Doc. 30). Although plaintiff may meet the financial requirements for proceeding in forma pauperis, his case was dismissed as one in a series of ad hominem attacks on courts, judges, other public officials and anyone else plaintiff deemed to have played any role in his legal troubles. See Order, Doc. 26. Plaintiff has not presented any factual or legal basis to appeal the Court's order of dismissal. Thus, his appeal has no arguable merit in law or fact, and is therefore not taken in good faith within the meaning of the applicable standards. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(3); Coppedge v. United States, 369 U.S. 438, 445 (1962); Napier v. Preslicka, 314 F.3d 528, 531 (11th Cir. 2002); Bilal v. Driver, 251 F.3d 1346, 1349 (11th Cir. 2001).

Accordingly, it is hereby

**ORDERED:**

Plaintiff's Motion for Permission to Appeal In Forma Pauperis and Affidavit (Doc. 30) is **denied**.

**DONE AND ORDERED** in Jacksonville, Florida this 19<sup>th</sup> day of March, 2021.



*Timothy J. Corrigan*

TIMOTHY J. CORRIGAN  
United States District Judge

s.

Copies:

Clerk of Court, Eleventh Circuit Court of Appeals

Pro se plaintiff

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 21-10450-J

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MICHAEL KIM,

Plaintiff-Appellant,

versus

THE TWELFTH JUDICIAL CIRCUIT COURT,  
HUNTER W. CARROLL,  
an individual,  
MICHAEL MORGAN,  
an individual,  
WESTWATER CONSTRUCTION, INC.,  
a Florida corporation,  
MARK S. MILLER,  
an individual, et al.,

Defendants,

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No. 21-10451-J

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MICHAEL KIM,  
an individual,

Plaintiff-Appellant,

versus

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF FLORIDA,  
UNITED STATES BANKRUPTCY COURT FOR THE  
MIDDLE DISTRICT OF FLORIDA,  
UNITED STATES OF AMERICA,  
MARY S. SCRIVEN,



an individual,  
ASHLEY MOODY,  
an individual, et al.,

Defendants-Appellees.

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Appeals from the United States District Court  
for the Middle District of Florida

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Before: WILSON and LUCK, Circuit Judges.

BY THE COURT:

Appellant's "Motion to Appoint Special Master for the Limited Scope of Overseeing the IFP Status of Plaintiff-Appellant" is DENIED as an impermissibly successive motion for reconsideration. *See* 11th Cir. R. 27-3.

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**



ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

For rules and forms visit  
[www.ca11.uscourts.gov](http://www.ca11.uscourts.gov)

February 09, 2022

Clerk - Middle District of Florida  
U.S. District Court  
801 N FLORIDA AVE  
TAMPA, FL 33602-3849

Appeal Number: 21-10450-J  
Case Style: Michael Kim v. USA  
District Court Docket No: 8:20-cv-02934-TJC-CPT

The enclosed copy of the Clerk's Order of Dismissal for failure to prosecute in the above referenced appeal is issued as the mandate of this court. See 11th Cir. R. 41-4.

Any pending motions are now rendered moot in light of the attached order.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Davina C Burney-Smith, J  
Phone #: (404) 335-6183

Enclosure(s)

DIS-2 Letter and Entry of Dismissal

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 21-10450-J

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MICHAEL KIM,

Plaintiff - Appellant,

versus

THE TWELFTH JUDICIAL CIRCUIT COURT,  
HUNTER W. CARROLL,  
an individual,  
MICHAEL MORGAN,  
an individual,  
WESTWATER CONSTRUCTION, INC.,  
a Florida corporation,  
MARK S. MILLER,  
an individual, et al.,

Defendants,

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Appeal from the United States District Court  
for the Middle District of Florida

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ORDER: Pursuant to the 11th Cir. R. 42-1(b), this appeal is DISMISSED for want of prosecution because the appellant Michael Kim has failed to pay the filing and docketing fees to the district court within the time fixed by the rules.

Effective February 09, 2022.

DAVID J. SMITH  
Clerk of Court of the United States Court  
of Appeals for the Eleventh Circuit

FOR THE COURT - BY DIRECTION