

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CASE NO.: 8:22-cv-00511-CEH-TGW

SAMANTHA M. MARKLE,

Plaintiff,

v.

MEGHAN MARKLE,

Defendant.

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PLAINTIFF'S MOTION TO DISQUALIFY JUDGE HONEYWELL

The Plaintiff, SAMANTHA M. MARKLE, by and through her undersigned counsel, hereby files this, her Motion to Disqualify the Honorable Charlene E. Honeywell, United States District Judge for the Middle District of Florida, under 28 U.S.C. § 445(a), and as grounds for the disqualification states as follows:

1. The Plaintiff files her Motion for Disqualification of the Honorable Judge Charlene E. Honeywell under 28 U.S.C. § 445(a).
2. This case involves a two-count action for Defamation and Defamation by Implication brought by Samantha Markle against her half-sister, Meghan Markle.
3. Meghan, along with her husband Prince Harry, are widely

known public figures who maintain a long-standing friendship with Barack and Michelle Obama.

4. The basis for the disqualification of the presiding Judge is that Charlene E. Honeywell was nominated to her current position as a Federal Court Judge, on November 12, 2009, by Barack Obama, the 44th President of the United States.

5. Due to the fact that Judge Honeywell was appointed to the Federal Bench by Obama in 2009, and the Obama family, Prince Harry, and Meghan are “allies” and strong supporters of one another, there exists a reasonable basis that Judge Honeywell’s impartiality will be questioned.

6. Under 28 U.S.C. § 445(a) “Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.” 28 U.S.C. § 455(a).

7. Section 455(a) requires recusal when the objective circumstances create an appearance of partiality. A charge of partiality must be supported by some factual basis, however. Recusal cannot be based on ‘unsupported, irrational or highly tenuous speculation.’” *United States v. Cerceda*, 188 F.3d 1291, 1293 (11th Cir. 1999) (quoting *In re United States*, 666 F.2d 690, 694 (1st Cir. 1981)).

8. In 2020, Meghan Markle joined forces with Michelle Obama's voter registration organization *When We All Vote*. The online voter registration drive was co-chaired by Mrs. Obama who Meghan specifically called "her friend."

9. Moreover, it is well-known that Prince Harry and Obama are "allies." Prince Harry frequently visited Obama in the White House during his presidency in 2013, 2015, and 2016. Prince Harry also welcomed the Obamas to Kensington Palace during their visit to the United Kingdom.

10. In September of 2017, Prince Harry even conducted an intimate interview on behalf of *The New York Times* with Obama to discuss life after the White House, the presidential inauguration, and the role of social media in leadership.

11. Additionally, in 2018 Meghan visited Mrs. Obama at the London's Southbank Centre to watch her speak on her memoir *Becoming*. Following the speech, Kensington Palace confirmed that Meghan privately met with Mrs. Obama.

12. Both Meghan and Obama also share the same communications team lead, Sara Latham. Ms. Latham was named as the head of Prince Harry and Meghan's communications team. Prior to this position, she led the political strategy and execution for Obama.

13. The judge's bias must be personal and extrajudicial; it must derive from something other than that which the judge learned by participating in the case." *McWhorter v. City of Birmingham*, 906 F.2d 674, 678 (11th Cir. 1990) (citations omitted); see also *Liteky v. United States*, 510 U.S. 540, 555 (1994).

14. The Plaintiff is unaware if Judge Honeywell has a current relationship with Obama, and how far back the relationship has existed.

15. In this circuit, "the test for determining whether a judge's impartiality might reasonably be questioned is an objective one and requires asking whether a disinterested observer fully informed of the facts would entertain a significant doubt as to the judge's impartiality." *Bivens Gardens Office Bldg., Inc. v. Barnett Banks of Fla.*, 140 F.3d 898, 912 (11 Cir. 1998) (citing *Diversified Numismatics, Inc. v. City of Orlando*, 949 F.2d 382, 385 (11 Cir. 1991)).

16. The undersigned has no knowledge of whether Judge Honeywell is impartial or not. However, just as members of the public would entertain a significant doubt as to the judge's impartiality, the Plaintiff has such a doubt, as there seems to be an undeniable connection between Obama and the Defendant, MEGHAN MARKLE.

17. The most important issue is not simply that justice must be

done, but also that justice appear to be done.

18. Due to the reasonable questioning of the Judge's impartiality, based on the Judge's nomination as a Federal Court Judge, the Honorable Judge Honeywell should disqualify herself from this Case.

WHEREFORE, the Plaintiff, SAMANTHA M. MARKLE, respectfully requests that the Honorable Charlene E. Honeywell be disqualified from the above styled litigation, and that she disqualify herself from acting as judge in this subject litigation, and such further and other relief as this Court may deem just and proper.

DESIGNATION OF EMAIL ADDRESSES FOR SERVICE

(Pursuant to Rule 2.516 Fla. R. Jud. Admin.)

The undersigned attorneys of The Ticktin Law Group hereby designate the following Email Addresses for service in the above styled matter. Service shall be complete upon emailing to the following email addresses in this Designation, provided that the provisions of Rule 2.516 are followed.

Serv549@LegalBrains.com; Serv513@LegalBrains.com;
Serv512@LegalBrains.com

SERVICE IS TO BE MADE TO EACH AND EVERY EMAIL ADDRESS LISTED IN THIS DESIGNATION AND TO NO OTHERS.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to all parties registered to receive service via CM/ECF this **17th day of June 2022**.

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