

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT,
IN AND FOR ORANGE COUNTY, FLORIDA

THOMAS BERT FEITER (“FIGHTER”),
Plaintiff,

v.

SETH HYMAN,
ANDREW BAIN,
RON DION DESANTIS,
CORY BYRD,
JAMES UTHMEIER,
JOSHUA GROSSHANS,
JEFF AARON,
ERIN HUNTLEY,
MARK CROSS,
EVAN POWER,
Osceola County Canvassing Board,
Orange County Canvassing Board,
The Republican Party of Florida (RPOF),
Orange County GOP,
Osceola County GOP,
GLEN GILZEAN Orange County Supervisor of Elections,
MARY JANE ARRINGTON Osceola Supervisor of Elections.

Defendants.

_____/

**COMPLAINT FOR ELECTION CONTEST
FOR MISCONDUCT, FRAUD, CORRUPTION,
AND CRIMINAL ELECTION INTERFERENCE
UNDER FLORIDA STATUTES §§ 102 AND 104**

COMES NOW, Plaintiff, THOMAS BERT FEITER (“FIGHTER”), (hereinafter referred to as “Plaintiff”) files this Complaint against Defendants SETH HYMAN, ANDREW BAIN, RON DION DESANTIS, CORY BYRD, JAMES UTHMEIER, JOSHUA GROSSHANS, JEFF AARON, ERIN HUNTLEY, MARK CROSS, EVAN POWER, the Osceola County Canvassing Board, the Orange County Canvassing Board, the Republican Party of Florida (RPOF), the Orange County GOP, the Osceola County GOP, GLEN GILZEAN Orange County Supervisor of

Elections, and MARY JANE ARRINGTON Osceola Supervisor of Elections (hereinafter the “Defendants”) and further alleges as follows:

JURISDICTION AND VENUE

1. This court has jurisdiction pursuant to Florida Statutes, Chapter 102 (i.e., §102.168), which allows for the contest of election results on the grounds of misconduct, fraud, and corruption that affect the outcome of an election.
2. This court has jurisdiction pursuant to Florida Statutes, Chapter 104 (i.e., §104.051, §104.061, §104.071, §104.091, §104.271, §104.31, §104.39), for violations and crimes involving misconduct, fraud, corruption, and election interference.
3. Venue is proper in Orange County, Florida, where the contested primary election occurred (Florida's Ninth Judicial Circuit) and where the Plaintiff and Defendant reside. The facts forming the basis of the Complaint occurred in Orange and Osceola County, Florida.

GENERAL ALLEGATIONS

4. Plaintiff THOMAS BERT FEITER (“FIGHTER”) is a qualified elector and registered Republican voter in Orange County, Florida and was a legitimate candidate for the Republican nomination for State Attorney in the Ninth Judicial Circuit of Florida during the 2024 primary election, genuinely intending to serve.
5. Defendant SETH HYMAN was in the same Republican primary election for State Attorney, but was not a legitimate candidate and never had a genuine intent to ever serve as State Attorney.
6. There exists a small Republican faction (hereinafter “the faction”) comprised of at least Defendants SETH HYMAN, ANDREW BAIN, RON DION DESANTIS, CORY BYRD,

JAMES UTHMEIER, JOSHUA GROSSHANS, JEFF AARON, ERIN HUNTLEY, MARK CROSS, EVAN POWER, GLEN GILZEAN, whose purpose it was to conspire to ensure that so-called “NPA” Candidate Andrew Bain did not face any Republican candidate in the general election.

7. This faction orchestrated the conspiracy, recruited others to join in the conspiracy, assisted and facilitated Defendant SETH HYMAN’s sham candidacy.
8. This faction knowingly and intentionally exploited the members of the local chapters of the RPOF to support a candidate who they knew would drop out after the primary election was won - ghost candidate SETH HYMAN.
9. Andrew Bain is a Republican and is openly and unmistakably aligned with this faction and the Republican Party.
10. Andrew Bain is pretending to be an NPA Candidate with the knowing purpose and intent to deceive the electorate, and manipulate the democratic process.
11. After removing elected State Attorney Monique Worrell, and putting Andrew Bain in her place, Defendant RON DION DESANTIS now controls all criminal prosecutions in the Ninth Judicial Circuit. *See Exhibit 1 – Photo of DeSantis behind Bain during appointment.*
12. Learning from the past mistakes of former ghost candidates (e.g., the Frank Artiles scandal), the faction realized that they needed someone who would do more than simply put their name on the ballot. They needed someone to be more cunning – someone with such distorted ethical views and a warped sense of reality that he would not only actively and continually deceive the general public – but do something even worse: betray the trust of the members of his own party.

13. The faction found such a suitable recruit (with whom to conspire) in disgruntled former Assistant State Attorney Seth Hyman, who was fired for unethical conduct from this very office in 2017 – a termination he never claimed to be politically motivated . . . until he 2024.
14. Seth Hyman, in an attempt to ingratiate himself favorably with the faction, agreed to be their “placeholder” or “ghost candidate” to thwart any genuine Republican from entering or winning the Republican primary. *See Exhibit 2 – Screenshot of Seth Hyman text to Thomas Feiter (“Fighter”) on May 9, 2024.*
15. The faction knowingly engaged in dishonest, unconstitutional and deceitful actions, fully aware of the consequences.
16. The faction intended their conspiracy and misconduct to directly affect our election results to achieve their desired outcome, and keep their previously appointed candidate (Andrew Bain) in office.

FACTUAL BACKGROUND

17. On February 1, 2024, Plaintiff filed to run as a candidate for the Republican nomination for State Attorney in the Ninth Judicial Circuit of Florida, paying the required filing fee of \$12,753.72, and satisfying all other conditions precedent to appear on the ballot.
18. Plaintiff THOMAS BERT FEITER (“FIGHTER”) conducted an active and legitimate campaign (intending to serve), raising money from supporters, obtaining endorsements, and participating in public debates, forums, and other campaign activities.
 - a. Plaintiff THOMAS BERT FEITER (“FIGHTER”) previously served as an Assistant State Attorney, voluntarily leaving to accept an offer at a private firm.

19. Defendant SETH HYMAN conducted an active campaign, raising money from supporters, obtaining endorsements, and participating in public debates, forums, and other campaign activities.
 - a. Defendant SETH HYMAN also previously served as an Assistant State Attorney, leaving involuntarily after being terminated for unethical behavior.
20. On July 3, 2024, Plaintiff filed a Complaint with The Florida Bar titled: Complaint on Suspicion of Election Interference, Election Fraud, Coercion and Intimidation, Corrupt Practices, Abuse of Official Position, and Exploitation of Military Veterans, Senior Citizens, and Vulnerable Adults. *See Exhibit 3 – Florida Bar Complaints.*
21. The Florida Bar rejected all of Plaintiff’s complaints on July 23, 2024. *See Exhibit 4 – Florida Bar Complaint Rejections.*
22. On July 24, 2024, Plaintiff filed formal notarized complaints with Florida’s Commission on Ethics explaining that Defendant SETH HYMAN and this faction were engaging in election fraud and manipulation – and that he was recruited to win the primary and withdraw, with no intention of ever serving as State Attorney. *See Exhibit 5 – Florida Commission on Ethics Complaints.*
23. The Commission on Ethics rejected all Plaintiff’s complaints on August 5, 2024. *See Exhibit 6 – Florida Commission on Ethics Complaint Rejections.*
24. On August 20, 2024 the primary election was held and the results were as follows:
 - a. Thomas Feiter 22,735 votes (37.6%) – Defeated / Eliminated
 - b. Seth Hyman 37,655 votes (62.4%) – Won
25. On September 5th, 2024, Defendant SETH HYMAN abruptly withdrew from the race for State Attorney. *See Exhibit 7 – Seth Hyman Withdrawal Letter on September 4, 2024.*

26. Defendant SETH HYMAN simultaneously endorsed Republican Governor Ron DeSantis' appointed State Attorney Andrew Bain on September 4, 2024 (15 days after winning the primary). *See Exhibit 8 – Seth Hyman Letter Endorsing Bain on September 4, 2024.*
27. Approximately one day later, the Republican Party of Florida (“RPOF”) notified Florida Secretary of State CORY BYRD in writing that the Republican Party will not name a Republican to take Hyman’s place on the general election ballot in November.
28. As of now, the race for State Attorney will not have a Republican candidate – and the electorate’s only options will be Democrat Monique Worrell and “NPA” Andrew Bain.

COUNT I - VIOLATION OF FLORIDA STATUTES § 102.168
(CONTEST OF ELECTION)

GHOST CANDIDACY OF DEFENDANT SETH HYMAN

29. Plaintiff incorporates paragraphs 1 through 28 et seq. as if fully set forth herein.
30. The small Republican faction of Defendants SETH HYMAN, ANDREW BAIN, RON DION DESANTIS, CORY BYRD, JAMES UTHMEIER, JOSHUA GROSSHANS, JEFF AARON, ERIN HUNTLEY, MARK CROSS, EVAN POWER, and GLEN GILZEAN illegally conspired, orchestrated and assisted in SETH HYMAN’S ghost candidacy.
31. Ghost candidates historically do little to no active campaigning.
32. SETH HYMAN did something worse than failing to actively campaign – he actively campaigned knowing it was all a farce, a deception, and an exploitation of the members of the RPOF – many of whom are elder senior citizens and military Veterans.
33. The faction created artificial support for Hyman by exploiting individuals and entities (such as elder senior citizens, military Veterans, registered Republicans, the RPOF, the

Orange GOP and the Osceola GOP, and the Republican electorate at large) with the intent to divert votes away from the Plaintiff and to ensure that no Republican candidate would advance to the general election. *See Exhibit 9 – Certified Letters from the Orange and Osceola GOP notifying of intent to endorse Seth Hyman.*

34. The key difference between the candidates was that SETH HYMAN’s true motive and intent for running was to manipulate the election process – and never to genuinely compete for or serve as State Attorney.
35. Defendant, SETH HYMAN was promised a benefit, such as a judgeship or other political favors, in exchange for running and then withdrawing. His plan was always to serve as a “placeholder” so that no genuine Republican could interfere with the faction’s plan to keep Andrew Bain State Attorney.
36. The faction recruited ghost candidate Seth Hyman in late 2022 to early 2023. Seth Hyman was a suitable recruit for the following reasons:
 - a. Liability Operative: Seth Hyman’s troubled past made him suitable to be exploited by the faction despite—or because of—his problematic history (i.e., his financial inadequacies and getting fired for unethical behavior). *See Exhibit 10 – Seth Hyman Financial Disclosures.*
 - b. Disgraced Accomplice: Seth Hyman’s fall from grace and his willingness to engage in further misconduct, allows the faction to leverage his compromised reputation. *See Exhibit 11 – Seth Hyman Termination from State Attorney for Unethical Behavior.*
 - c. Complicit Opportunist: Seth Hyman was willing to engage in a conspiracy due to a disregard for ethical boundaries, motivated by self-interest or desperation.

Unlike every other candidate in the race, Hyman does not own a home or any property anywhere. Accordingly, he could easily relocate and accept a judgeship anywhere in the State of Florida after burning all his bridges here in Orange and Osceola Counties.

- d. Ethically Compromised Recruit: This term underscores Seth Hyman's past unethical behavior and their recruitment into the conspiracy because of his compromised moral compass.
 - e. Exploitable Asset: Seth Hyman was a tool to be used by the faction due to his vulnerabilities, making him an easy target for manipulation in unethical schemes. The faction could even turn on Hyman and make him the scapegoat / fall guy in this fiasco. Hyman's tarnished employment history, his lack of personal resources and his poor reputation allow the faction to point the finger at him, if necessary.
37. The actions of Defendant Seth Hyman and the faction (his co-conspirators) constitute grounds for contesting the election results under Florida Statutes § 102.168, as their fraudulent conduct affected the outcome of the election.

COUNT II - VIOLATION OF FLORIDA STATUTES § 104.051

(ACTS PROHIBITED; PENALTIES)

38. Plaintiff incorporates paragraphs 1 through 28 et seq. as if fully set forth herein.
39. Defendants, by orchestrating a ghost candidacy, engaged in acts prohibited under Florida Statutes § 104.051, including but not limited to corruptly influencing the election process and committing fraud that interfered with the proper conduct of the election.
40. This sham was a well thought out and deliberate attempt to manipulate the electoral process; engineering a candidacy that was never intended to be serious.

41. The day the ballots went to print, Defendant GLEN GILZEAN prohibited Plaintiff from using his legitimate fictitious name Thomas Bert Feiter (“Fighter”) as it appears on his Florida Bar Board Certification and the Florida Bar’s roll of attorneys to (1) assist Defendant SETH HYMAN to get more votes, (2) deny Plaintiff any time or opportunity to appeal his decision. *See Exhibits 12 and 13 – Nickname Rejection Letter from Division of Elections and Notice of Ballot Printing by Supervisor of Elections Glen Gilzean.*

COUNT III - VIOLATION OF FLORIDA STATUTES § 104.061

(CORRUPTLY INFLUENCING VOTING)

42. Plaintiff incorporates paragraphs 1 through 28 et seq. as if fully set forth herein.

43. Defendants corruptly influenced voting in violation of Florida Statutes § 104.061 by engaging in a scheme to deceive voters through the ghost candidacy of Seth Hyman, intending to affect the outcome of the primary election.

44. Defendants JOSHUA GROSSHANS and ERIN HUNTLEY asked me to drop out of the State Attorney race on May 10, 2024, at the Orange GOP Headquarters on South Orange Avenue at 1:30 pm. *See Exhibit 14 – Text Messages Confirming Meeting.*

45. Defendants JOSHUA GROSSHANS and ERIN HUNTLEY told me that they ran the numbers and they realized a Republican could not win in the Ninth Judicial Circuit – but that Andrew Bain had a chance as an NPA, even though NPAs tended to vote Democrat here.

46. Defendants JOSHUA GROSSHANS, SETH HYMAN, JAMES UTHMEIER, JEFF AARON, and ERIN HUNTLEY attempted to bribe and influence Plaintiff THOMAS BERT FEITER (“FIGHTER”) with promises of a judgeship or other faction “currency” to interfere with Plaintiff’s vote and right to run for political office.

47. Defendants JOSHUA GROSSHANS, SETH HYMAN, JAMES UTHMEIER, JEFF AARON, and ERIN HUNTLEY, MARK CROSS, and EVAN POWER betrayed and influenced the votes and voices of the members of the RPOF, by lying to them, concealing SETH HYMAN'S termination from the State Attorney's Office, and pushing on them SETH HYMAN'S Ghost Candidacy. *See Exhibit 15 – Facebook Post of Seth Hyman being endorsed by Orange and Osceola GOPs.*
48. The faction is continuing in this pattern by accusing Plaintiff of being a ghost candidate with zero basis or foundation. *See Exhibit 16 – Facebook Post of Seth Hyman accusing Thomas Feiter (“Fighter”) of being a ghost candidate.*
49. Plaintiff was always trying to protect the members of the RPOF and filed two letters to the leadership, which went unanswered. *See Exhibits 17 and 18 – Letters to Leadership of the RPOF to try to protect the members of the Orange and Osceola GOPs.*

COUNT IV - VIOLATION OF FLORIDA STATUTES § 104.071

(UNDUE INFLUENCE AT ELECTIONS)

50. Plaintiff incorporates paragraphs 1 through 28 et seq. as if fully set forth herein.
51. Defendants conspired to violate Florida Statutes § 104.071 by using positions of power, making illegal promises of judgeships and other political positions, favor, or currency, asserting undue influence, deceit, and coercion to manipulate the electoral process through their fraudulent actions in promoting a ghost candidate, thereby depriving the electorate of a fair and honest election.
52. The entire faction violated Florida Statutes § 104.071 by attempting to influence voting behavior through remuneration or inducements.

53. Defendants JAMES UTHMEIER and JEFF AARON offered Plaintiff a bribe to drop out of the State Attorney race at Rosen Shingle Creek on May 23, 2024 at around 3:00 pm in the Wekiwa Conference Room. *See Exhibit 19 – Text Messages.*
54. It was on this day that Plaintiff disclosed to Defendants JAMES UTHMEIER and JEFF AARON that he obtained approval from the Florida Division of Elections to have his nickname “Fighter” to appear on the ballot – and how that may appeal to voters to vote for Plaintiff and recognize him, as his law firm has been named “Fighter Law” since 2011, and that Plaintiff already has a lot of name recognition. *See Id.*
55. Defendants JAMES UTHMEIER and JEFF AARON laughed at Plaintiff and told him that they would help Andrew Bain raise millions of dollars and that Plaintiff should not even try to challenge them.
56. Defendants JAMES UTHMEIER and JEFF AARON told Plaintiff to carefully consider his political future.
57. Florida Attorney General Ashley Moody was waiting outside the room. Plaintiff met her after she made a point of introducing herself to Plaintiff.
58. On May 29, 2024, Defendant JAMES UTHMEIER called Plaintiff on my cell phone, telling me he spoke for the Governor - and that the Governor would not support Plaintiff because he needs Andrew Bain to remain State Attorney. It was a 10-15 minute conversation and the Chief of Staff (Defendant JAMES UTHMEIER) was trying to tell Plaintiff that Plaintiff’s political future would be over in Florida if he did not drop out. *See Exhibit 20 – Phone Records Confirming Conversation.*

COUNT V - VIOLATION OF FLORIDA STATUTES § 104.091

(FALSE OR FRAUDULENT REGISTRATION)

59. Plaintiff incorporates paragraphs 1 through 28 et seq. as if fully set forth herein.
60. Defendants committed violations of Florida Statutes § 104.091 by engaging in false or fraudulent actions related to the registration and candidacy of Seth Hyman, further perpetrating their conspiracy and scheme to manipulate the election.

COUNT VI - VIOLATION OF FLORIDA STATUTES § 104.271

(FALSE STATEMENTS BY CANDIDATES)

61. Plaintiff incorporates paragraphs 1 through 28 et seq. as if fully set forth herein.
62. Defendant Seth Hyman, with the assistance of co-conspirators, made false statements in connection with his candidacy, in violation of Florida Statutes § 104.271, by misrepresenting his intentions and qualifications as part of a broader scheme to manipulate the electorate.
63. Defendant Seth Hyman and the faction are now falsely accused Plaintiff of being a ghost candidate without any good faith basis or foundation. *See Exhibit 16 – Facebook Post of Seth Hyman accusing Thomas Feiter (“Fighter”) of being a ghost candidate.*

COUNT VII - VIOLATION OF FLORIDA STATUTES § 104.31 (POLITICAL ACTIVITIES OF PUBLIC OFFICERS AND EMPLOYEES; USE OF STATE FUNDS)

64. Plaintiff incorporates paragraphs 1 through 28 et seq. as if fully set forth herein.
65. Defendant Seth Hyman, with the assistance of co-conspirators, made false statements in connection with his candidacy, in violation of Florida Statutes § 104.271, by misrepresenting his intentions and qualifications as part of a broader scheme to manipulate the electorate.

COUNT VIII - VIOLATION OF FLORIDA STATUTES § 104.39

(PENALTY FOR VIOLATIONS)

66. Plaintiff incorporates paragraphs 1 through 28 et seq. as if fully set forth herein.
67. Defendants' actions constitute a breach of multiple sections of Chapter 104, specifically § 104.39, which prescribes penalties for such violations, warranting the imposition of fines, sanctions, and any other penalties the Court deems appropriate to address the fraudulent conduct and protect the integrity of the election process.

DAMAGES AND RELIEF SOUGHT

(As to all Counts)

WHEREFORE, the Plaintiff, THOMAS BERT FEITER (“FIGHTER”), respectfully requests this Court enter a judgment:

68. Ordering to the Florida Department of Law Enforcement to immediately begin a criminal investigation into this matter;
69. Requesting the criminal investigative assistance of the United States Department of Justice (DOJ) and/or the Federal Bureau of Investigation (FBI).
70. Finding that Defendants engaged in a knowing and intentional conspiracy to undermine a fair election in the Ninth Judicial Circuit;
71. Finding that Defendant Seth Hyman ran as a ghost candidate;
72. Finding that the misconduct, fraud and corruption of the Defendants directly affected the election results;
73. Declaring the primary election results invalid due to the Defendants' misconduct, fraud and corruption;
74. Ordering Plaintiff to appear on the November ballot as the Republican nominee for State Attorney of the Ninth Judicial Circuit of Florida;

75. Imposing appropriate penalties on the Defendants for their violations of Florida election laws;
76. Awarding Plaintiff a judgment against Defendants, for damages together with interest, attorney's fees, and all costs of bringing this action;
77. Awarding Plaintiff punitive damages for the abhorrent, particularly egregious or reckless behavior of the Defendants, and to deter similar conduct in the future;
78. Awarding our community (and the Plaintiff) any other relief deemed just and proper by the Court.

DEMAND FOR JURY TRIAL

The Plaintiff hereby demands a trial by jury on all issues so triable to allow the community to know all of the facts surrounding this matter.

DATED this 10th day of September 2024.

/s/ Thomas Bert Feiter ("Fighter") _____

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