

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO.: 16-2026-CA-004155

DIVISION: CV-H

REPUBLICAN EXECUTIVE  
COMMITTEE OF DUVAL COUNTY,

Plaintiff, Counterclaim Defendant,

v.

ADDISON LIBERTY PATRICK, a candidate,

Defendant, Counterclaimant,  
Crossclaimant,

v.

and JERRY HOLLAND, in his official capacity as  
Supervisor of Elections for  
Duval County, Florida,

Defendant, Crossclaimant Defendant,

v.

DEBORAH L. WESLEY,

Counterclaim Defendant.

---

**ORDER DISMISSING AMENDED COMPLAINT,  
COUNTERCLAIM AND CROSS CLAIM WITH PREJUDICE**

This matter comes before this Court for expediated hearing on July 1, 2026, on Defendant Addison Liberty Patrick's "Motion to Dismiss Amended Verified Complaint or, in the Alternative, to Strike Count II, for a more Definite Statement, and other Appropriate Relief," filed on June 29, 2026 (the "Motion") directed at Plaintiff's Amended Complaint filed on June

26, 2026 (the “Complaint”). The Court also reviewed “Plaintiff’s Memorandum of Law in Support of Applying Section 99.021(1)(b)2 to Special Elections” filed on June 30, 2026 (the “Response”) and “Defendant Addison Liberty Patrick’s Emergency Verified Counterclaims and Crossclaims, and Demand for Expedited Final Hearing” filed on June 30, 2026 (the “Counterclaim”).

Both the Complaint and the Counterclaim rely on the same newly enacted statute, Section 99.021(1)(g), Florida Statutes (2026) which can provide candidates and political parties a mechanism to challenge the qualifications of opposing candidates through declaratory and injunctive relief.

In the Complaint, Plaintiff challenges Patrick’s qualification as a Libertarian Party candidate for the Special First Consolidated Government Election for Jacksonville City Council At Large Seat 1. Plaintiff alleges that although Patrick’s qualification papers were accepted by the Supervisor of Elections, Patrick’s attestation of continuous registration with the Libertarian Party for the 365-day period preceding the beginning of qualifying was false, rendering her ineligible to run. In her Counterclaim, Patrick alleges the Republican candidate, Deborah Wesley, should be disqualified because her attestation of residency was false.

In rendering its decision, the Court does not reach the merits of the allegations made either by the Republican Executive Committee or Ms. Patrick. The Court’s decision is instead based on the plain language of the statute limiting its scope. As explained more fully below, the claims of both the Republican Party and Ms. Patrick fail because the statute at issue applies only to 1) a general election (as defined by law), or 2) a primary election where candidates are seeking the nomination of a political party. Because the Special First Consolidated Government Election

for Jacksonville City Council At Large Seat 1 is neither, the Complaint and the Counterclaim are subject to dismissal.

Both Plaintiff's and Ms. Patrick's arguments are based on section 99.021, Florida Statutes (2026). The pertinent subsections read as follows:

(b) [A]ny person seeking to qualify for **nomination as a candidate of any political party** shall, at the time of subscribing to the oath of affirmation, state in writing:

1. The party of which the person is a member.

2. That the person has been a registered member of the political party for which he or she is **seeking nomination as a candidate** for at least 365 consecutive days preceding the beginning of qualifying before the **general election** for which the person seeks to qualify.

...

(c) In addition, any person seeking to qualify for office as a candidate with no party affiliation shall, at the time of subscribing to the oath or affirmation, state in writing that he or she is registered without any party affiliation and that he or she has not:

1. Been a registered member of any political party for at least 365 consecutive days preceding the beginning of qualifying before the **general** election for which the person seeks to qualify.

...

(g) The statements in subparagraphs (b)2. and (c)1. constitute substantive requirements for the person completing the statement, and compliance with those requirements is mandatory. The sole method to enforce compliance with such requirements is contained in this paragraph. Compliance with subparagraphs (b)2. and (c)1. may be challenged by a qualified candidate or a political party with qualified candidates in the same race by filing an action in the circuit court for the county in which the qualifying officer is headquartered. A person may not be qualified as a candidate for nomination or election, and his or her name may not appear on the ballot, if, in an order that has become final, the court determines that:

1. The person seeking to qualify for nomination as a candidate of any political party has not been a registered member of that party for the 365-day period preceding the beginning of qualifying; or

2. The person seeking to qualify for office as a candidate with no party affiliation has not been registered without any party affiliation for, or has been a registered member of any political party during, the 365-day period preceding the beginning of qualifying.<sup>1</sup>

---

<sup>1</sup> Section 99.021 was amended, at least in part, based on the First District Court of Appeal's decision in *Jones v. Schiller*, 345 So. 3d 406 (Fla. 1st DCA 2022). In *Jones*, a candidate in the Democratic Primary Election for Florida's 1<sup>st</sup> Congressional District sought to remove another candidate from the ballot because she had not been a member of the Democratic Party for the 365-day period preceding the beginning of qualifying. *Id.* at 407. The appellate court

(emphasis added).

In sum, section 90.021(1)(g), Florida Statutes, was added to the law to provide an enforcement mechanism to address election qualifying violations. As written, however, it applies only to general elections or primary elections where a candidate is seeking the nomination of a political party.

The First Special Election is not a “general election,” and neither candidate is seeking the nomination as a candidate of any political party. The Florida Election Code defines “General Election” as “an election held on the first Tuesday after the first Monday in November in the even-numbered years, for the purpose of filling national, state, county, and district offices and for voting on constitutional amendments not otherwise provided for by law.” § 97.021, Fla. Stat. (17) (2025). The First Special Election, however, is currently scheduled for August 18, 2026. to fill a permanent vacancy on the Jacksonville City Council.

The First Special Election is also not a “primary election,” held for the purpose of nominating a party nominee to be voted for in the general election.<sup>2</sup> As acknowledge at hearing, the First Special Election cannot be a party nominating contest because of its structure. It is undisputed that if any candidate receives a majority of the vote, that candidate is simply elected. However, if no candidate receives a majority of the vote, the top 2 candidates advance, even if both are from the same party. Thus, it is not a party nomination contest.

---

held that the party affiliation requirements in section 99.021 “cannot be the basis for disqualification of a duly qualified candidate” because there was no enforcement mechanism for removal in the statute. *Id.* at 414. *Jones* was then referenced in the Final Bill Analysis amending section 99.021 so that there would be a mechanism for removal. See *Fla. Gov’t Operations S. Comm. (2026) Post-Meeting Final Bill Analysis (April 2, 2026)* (available at <https://www.flsenate.gov/Session/Bill/2026/991/Analyses/h0991z1.GOS.PDF>).

<sup>2</sup> The Florida Election Code defines a primary election as “an election held preceding the general election for the purpose of nominating a party nominee to be voted for in the general election to fill a national, statute, county, or district office.” § 97.021(31), Fla. Stat. (2025). The First Special Election will determine the outcome of

Because the First Special Election is not a general election nor is it a party nomination primary, Sections 99.021(1)(b) and 99.021(1)(g) provide neither Plaintiff nor Ms. Patrick a remedy.<sup>3</sup> The Court presumes the Legislature knows and intends the language it employs and, based on a plain reading of the statutory provisions, the First Special Election is outside the statutory scope and the claims of both Plaintiff and Ms. Patrick must fail.

Accordingly, the Motion to Dismiss is **GRANTED**, and the Complaint is **DISMISSED WITH PREJUDICE**. Upon the Court’s own motion, the Counterclaim is also **DISMISSED WITH PREJUDICE**. Having disposed of the Complaint and the Counterclaim on statutory interpretation grounds<sup>4</sup>, the Court declines to address the additional arguments raised by either the Motion or the Counterclaim.

**DONE, ORDERED AND ADJUDGED** in Jacksonville, Duval County, Florida on Thursday, July 2, 2026.

16-2026-CA-004155-AXXX-MA 07/02/2026 07:40:40 AM



G.L. FELTEL JR., CIRCUIT JUDGE

Gilbert FelteL, Judge  
16-2026-CA-004155-AXXX-MA 07/02/2026 07:40:40 AM

Luis Alfredo Montiel

Montiellaw@pm.me

Michael C Minardi

Michael@Minardilaw.com

Gisa@Minardilaw.com

legaldocs27@gmail.com

<sup>3</sup> The Florida Election Code governs the conduct of municipal elections “in the absence of an applicable . . . special act, charter, or ordinance provision.” § 100.3605, Fla. Stat.(1) (1996). Because the Florida Election Code contemplates municipalities conducting their own elections, the Court need not treat the *first* election as a *primary* election, and Plaintiff’s characterization of it as a “Special Primary Election” in the Response does not alter the nature of the August 18, 2026 vote.

<sup>4</sup> Having found the instant election to be beyond the scope of that cited statute, the Court determines leave to amend, for either Plaintiff of Mr. Patrick, would be futile.

Tiffany Douglas Pinkstaff

TPinkstaff@coj.net

GPaulino@coj.net