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CORRECTIONAL INSTITUTION
ON 1/14/05 FOR MAILING
BY DK AC.

To: The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300

Date: _____

From: Adam Murray Costello
33123 Oil Well Road
Punta Gorda, Florida 33955

RE: Continued challenge to decision from the Director of Intake.

Dear Chair of Grievance Committee,

Pursuant to the policy adopted by the board of governors regarding the review of closed inquiries and disciplinary complaints, 15.75(c)(2). I am challenging by objection to the decision to close the file regarding Ty Roland's conduct. Therefore, I request that the Chair of the Grievance Committee review all documentation, correspondence previously exchanged, and the following response:

The Director of Intake explained the burden of proof necessary to bring before the Supreme Court of Florida. I am aware of the varying degrees of proof in all aspects whether it be "preponderance", "clear and convincing", or "beyond a reasonable doubt".

The Director mischaracterizes the complaint. My insurance did pay \$250k to the "victim's" family prior to the conviction. As made known in the previous correspondence, this statute has no victim and no causation. There can be no restitution because there are no damages. Where there are no damages, there is no culpability. This is basic knowledge from a quick review of holdings in case law.

As such, the Director's decision was made based off of an incorrect interpretation of the statute regarding the criminal case that she reviewed. Due to this erroneous application, her assertion that matters about which I complain are not within the purview of the discipline system, are also erroneous.

Although she does not delineate any reason as to why the matters are not within the purview, it makes no difference because that assertion is founded on an erroneous application.

Her statement of why an insurance company may elect to settle a case is an attempt to misdirect attention from what the complaint is actually concerning. This has nothing to do with what a company may elect to do. This complaint is in regard to conduct of Ty Roland that violated the Rules Regulating the Florida Bar by misrepresentation, fraud, and theft.

The Director's conclusion that there is insufficient evidence that he violated the Rules Regulating the Florida Bar by demanding a wrongful death insurance settlement is also a mischaracterization and an attempt to cover up Ty Roland's dishonest and fraudulent conduct.

The complaint is NOT that he violated the Rules Regulating the Florida Bar by "demanding a wrongful death insurance settlement", *it is by demanding a wrongful death insurance settlement while misrepresenting the facts and law in order to obtain that settlement*, constituting theft by fraud and misrepresentation, which **very much** falls under the purview of the disciplinary system.

The Director also asserts that the matter is time barred under Rule 3-36 because the conduct occurred prior to the conviction, over 6 years ago.

I had no knowledge that there was no causation and no culpability until my judge explained it at my evidentiary hearing in 2023 (*See attached EXHIBIT A*). The State tried to push the opposite at the hearing (*See attached EXHIBIT B*). So I did not know that evidence stated by Judge Steinbeck. As such, my

knowledge of the conduct violating the rules did not begin until that date of the evidentiary hearing, and therefore the time bar of 6 years is incorrect.

Moreover, in the very rule that the director uses to assert a time bar, under section (b), it provides:

“3-7.16(b) – **THERE IS NO LIMIT** on the time in which to *present, reopen, or bring a matter alleging theft* or a conviction of a felony criminal offense.”

Consequently, in either circumstance, the assertion of a time bar does not apply. The evidence is more than clear and convincing when one factually reviews the previous complaint, response, and attachments. This is the 3rd tier of review within administrative remedies regarding the conduct. I wanted to inform you also that I will be sending this to the media and news stations. I think that the public needs to be informed that even in the face of irrefutable evidence, the conduct engaged in by members of the Florida Bar often go unchecked. They are not held accountable for their own knowing actions or inactions. Please consider this the third request to review this file and request discipline for ethical behavior rule violations. I look forward to your response regarding this matter. Thank You.

Sincerely,

Adam Murray Costello – B16188
Charlotte Correctional Institution
Punta Gorda, Florida 33955