

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
FAMILY LAW DIVISION**

IN RE: THE MARRIAGE OF:

ANDREW CABEZUDO,
Petitioner,

v.

GERALDINE CABEZUDO,
Respondent.

Case No.: 25-2342-FD-12

RESPONDENT'S AMENDED MOTION TO RECUSE JUDGE HELINGER

COMES NOW Respondent, **GERALDINE CABEZUDO**, pro se, pursuant to Fla. R. Jud. Admin. 2.330, and respectfully moves for the recusal of the Hon. Judge Helinger, and in support states:

1. On **August 11, 2025**, Petitioner's Counsel filed both a Notice of Production from Non-Party John Chidster and an Exhibit for Subpoena Duces Tecum Without Deposition for John Chidster. **Respondent's Counsel at the time, Alexa Saab, never served her client these critical documents.**
2. On **August 13, 2025**, Petitioner's Counsel filed both another Notice of Production from Non-Party John Chidster and a Subpoena Duces Tecum Without Deposition for John Chidster. **Respondent's Counsel at the time, Alexa Saab, again, never served her client these critical documents.**
3. On **August 13, 2025**, Respondent and her then-counsel, **Alexa Saab**, filed a Motion for Withdrawal of Counsel.
4. On **August 15, 2025**, Judge Helinger denied Respondent's Motion to Recuse himself from this matter. This denial was entered while Saab was still attorney of record and was **never served on Respondent by her counsel.**
5. On **August 18, 2025, at 12:09 PM**, Saab's legal assistant, **Kathleen Santos**, emailed Respondent stating: *"we still have to forward you everything."* This confirms Respondent had not been provided with the 8/15/25 order or other filings, including the 8/13/25 filings of the Notice of Production From Non-Party John Chidster as well as the

Subpoena Duces Tecum without Deposition of John Chidester. Later that same day on 8/18/25, at **4:56 PM**, the Court granted Saab's Motion to Withdraw.

6. **This sequence of events proves that for at least seven days (8/11–8/18/25), critical filings were withheld from Respondent**, while Judge Helinger and opposing counsel proceeded in the case. This denial of notice and opportunity to be heard constitutes a violation of due process. See *Saia Motor Freight Line, Inc. v. Reid*, 930 So. 2d 598 (Fla. 2006); *M.L. v. Dep't of Children & Families*, 227 So. 3d 142 (Fla. 4th DCA 2017).
7. **On September 16, 2025, at 2:51 PM**, Judge Helinger sua sponte imposed a filing deadline for the October 1, 2025 hearing without legal basis.
8. This deadline was set on the same day that Attorney **Garth Goodman** and witness **John Chidester** exchanged emails concerning a fraudulent subpoena (served on 9/13/25), raising a strong appearance of **impermissible ex parte communication**. See *Chastine v. Broome*, 629 So. 2d 293 (Fla. 4th DCA 1993).
9. Attorney Goodman, as counsel for Petitioner, knew that Respondent had a **pre-scheduled video call with the minor children in this matter from 4:00–4:30 PM on September 16, 2025**. By setting the filing deadline at 2:51 PM, Judge Helinger with knowing that the Clerk's office in Pinellas County would only be open until 4:30 PM, Respondent was placed in an impossible position: she could not both fulfill her parenting obligations under the Court's visitation schedule and appear in-person at the Clerk's office to verify that the fraudulent **Rodriguez v. Loibl** subpoena issued by Attorney Goodman served on John Chidester 9/13/25 had never been filed by Attorney Goodman in that case with the Court.
10. On that same day of September 16, 2025, Respondent filed her **Motion to Subpoena John Chidester** (4:56 PM) and Non-Party John Chidester filed his **Motion to Quash three inconsistent subpoenas** (11:59 PM). Neither motion has been processed by the Clerk or acknowledged by the Court despite evidence of e-filing.
11. Attorney Goodman has engaged in repeated misconduct, including:
 - Serving John Chidester with a fraudulent **Rodriguez v. Loibl** subpoena on 9/13/25.
 - Emailing John Chidester a **blank version of that same Rodriguez v. Loibl subpoena with no signature or date** on 9/16/25 when John Chidester demanded the original.
 - Producing a **"corrected" subpoena** on 9/16/25 that relied on the **affidavit of service from the fraudulent 9/13/25 subpoena**, which **did not match** either the "corrected" version filed to the court on 9/16/25 or the **8/11/25 subpoena exhibit** or **8/13/25 version of the subpoena** filed in this case.

- This constitutes **fraud upon the court**. See *Jacob v. Henderson*, 840 So. 2d 1167 (Fla. 2d DCA 2003); *Cox v. Burke*, 706 So. 2d 43 (Fla. 5th DCA 1998).

10. By failing to address Goodman's misconduct, while simultaneously imposing arbitrary deadlines that conflicted with Respondent's Court-ordered visitation time, the Court has created the appearance of collusion and partiality.
11. Additionally, Petitioner's Counsel, Attorney Goodman, former Respondent's counsel Attorney Saab, and Judge Helinger are all members of the **Canarkaris Inn of Court**, a private social club of judges and attorneys that fosters opportunities for ex parte relationships outside formal court proceedings. This raises a further appearance of impropriety. See *State ex rel. Davis v. Parks*, 141 Fla. 516, 194 So. 613 (Fla. 1939).
12. Florida law is clear: recusal is required where the facts would cause a reasonably prudent person to fear that they could not receive a fair trial. See *Livingston v. State*, 441 So. 2d 1083 (Fla. 1983); *MacKenzie v. Super Kids Bargain Store, Inc.*, 565 So. 2d 1332 (Fla. 1990); *Nunez v. Backman*, 645 So. 2d 1063 (Fla. 3d DCA 1994).

WHEREFORE,

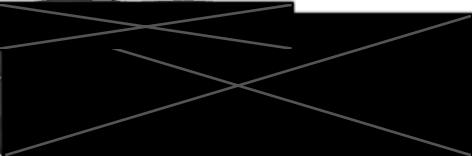
Respondent respectfully requests the recusal of Judge Helinger from further proceedings in this case and reassignment to another judge of the Sixth Judicial Circuit.

Dated: 9/22/25

Respectfully submitted,



GERALDINE CABEZUDO, Pro Se Respondent



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via e-service and/or U.S. Mail this 22nd day of September, 2025, to:

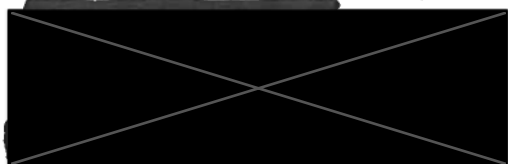
Garth Goodman, Esq., Counsel for Petitioner
146 Second Street North, Suite 310
St. Petersburg, FL 33701
(727) 895-5858

garth@goodmanatlaw.com

Respectfully submitted,



GERALDINE CABEZUDO, Pro Se Respondent



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ORDER GRANTING RESPONDENT'S AMENDED MOTION TO RECUSE

THIS CAUSE having come before the Court on Respondent's Amended Motion to Recuse Judge Helinger, and the Court being fully advised, it is hereby:

ORDERED AND ADJUDGED:

1. Respondent's Amended Motion is GRANTED.
2. Judge Helinger is recused from further proceedings in this case.
3. This matter shall be reassigned to a different judge in Marion County, the place of residence of Respondent, as mentioned in the original Motion to Recuse Judge Helinger.

DONE AND ORDERED in Pinellas County, Florida this ____ day of September, 2025.

Honorable Judge Helinger

CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via e-service and/or U.S. Mail this 22nd day of September, 2025, to:

Garth Goodman, Esq., Counsel for Petitioner
146 Second Street North, Suite 310
St. Petersburg, FL 33701
(727) 895-5858
garth@goodmanatlaw.com

Respectfully submitted,



GERALDINE CABEZUDO, Pro Se Respondent

