

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

FRED VARN,  
Appellant,

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

v.

MICHELLE REHWINKEL  
VASILINDA, Candidate, House  
District 9; FREDDY MOORE TODD;  
KURT S. BROWNING, in his official  
capacity as Secretary of State, State of  
Florida; ION SANCHO, in his official  
capacity as Supervisor of Elections,  
Leon County, Florida; MARTY  
BISHOP, in his official capacity as  
Supervisor of Elections, Jefferson  
County, Florida; and SHIRLEY  
KNIGHT, in her official capacity as  
Supervisor of Elections, Gadsden  
County, Florida,  
Appellees.

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CASE NO. 1D08-3201

Opinion filed July 18, 2008.

An appeal from the Circuit Court for Leon County.  
P. Kevin Davey, Judge.

Stephen Marc Slepín and Mallory E. Horne of Maddox Horne, PLLC, Tallahassee, for  
Appellant.

Ronald G. Meyer and Jennifer S. Blohm of Meyer and Brooks, P.A., Tallahassee, for  
Appellee Rehwinkel Vasilinda; and Harry O. Thomas of Radey Thomas Yon & Clark,  
P.A., Tallahassee, for Appellee Freddy Moore Todd.

BARFIELD, J.

Appellees Michelle Rehwinkel Vasilinda and Freddy Moore Todd filed separate actions, later consolidated, seeking declaratory and injunctive relief based on claims that Appellant Fred Varn, a candidate for the Florida House of Representatives, District 9, had violated section 99.012(3), Florida Statutes (2008), a provision of Florida's "resign to run" law, and seeking to have Varn's name removed from the August 2008 primary ballot. There were no disputed issues of material fact, and after a hearing on the merits of the request for declaratory judgment, the circuit court entered a Final Declaratory Judgment which found that Varn "failed to comply with F.S. §99.012(3)(c) and (g) by not timely submitting his written resignation of his office with the Leon County School [B]oard in accordance with the requirements of those statutory provisions" and that "[t]he only legal remedy available to the Court is his removal from the August 26, 2008 primary ballot."

We have carefully considered the circuit court's order, the briefs of the parties, and the applicable law, and we conclude that the circuit court's reasoning and rulings are correct. The Final Declaratory Judgment is therefore AFFIRMED.

WEBSTER and PADOVANO, JJ., CONCUR.