

SUPREME COURT OF FLORIDA

Armando Arce v. Chief Judge Timothy D. Osterhaus

No. SC2025-1811 (Fla. Apr. 23, 2026) · No. SC2025-1811 · Decided April 23, 2026

SUMMARY

The Supreme Court of Florida sanctions Armando Arce for repeatedly filing frivolous or otherwise inappropriate pro se petitions concerning two Okaloosa County domestic relations cases. The Court directs its clerk to reject future filings by Arce relating to those cases unless signed by a member in good standing of The Florida Bar.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Chief Justice Muñoz; Justice Labarga; Justice Couriel; Justice Grosshans; Justice Francis; Justice Sasso; Justice Tanenbaum
JURISDICTION	Supreme Court of Florida
DECIDED	April 23, 2026
DOCKET	SC2025-1811
DISPOSITION	other
PROCEDURAL POSTURE	Arce petitioned for a writ of mandamus and filed two motions to stay in the First District Court of Appeal. The matters were transferred to the Supreme Court of Florida, which denied mandamus relief, retained jurisdiction to consider sanctions, and then imposed filing restrictions after Arce failed to show cause why sanctions should not be imposed.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Armando Arce v. Chief Judge Timothy D. Osterhaus

TOPICS

- sanctions
- appellate procedure
- family law procedure
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure
- family law

QUESTIONS PRESENTED

1. Whether Arce's repeated pro se filings relating to his domestic-relations cases were frivolous or otherwise inappropriate and warranted sanctions.
2. Whether the Supreme Court could restrict Arce's future filings concerning the two identified domestic-relations cases to filings signed by a member in good standing of The Florida Bar.

HOLDINGS

1. Arce failed to show cause why sanctions should not be imposed because his extensive history of filing frivolous or otherwise inappropriate pro se petitions and requests for relief abused the Supreme Court's limited judicial resources.
2. The Clerk of the Supreme Court must reject any future pleadings or other requests for relief submitted by Arce relating to the two specified case numbers unless the filings are signed by a member in good standing of The Florida Bar.

KEY QUOTATIONS

“Accordingly, we direct the Clerk of this Court to reject any future pleadings or other requests for relief submitted by Armando Arce relating to case numbers 462023DR002903CXXXXX and 462023DR004081CXXXXX, unless such filings are signed by a member in good standing of The Florida Bar.”
(5)

FACTUAL BACKGROUND

Arce was involved in two ongoing domestic-relations cases in Okaloosa County and repeatedly filed extraordinary petitions and notices concerning those cases. His petition sought to prevent Circuit Judge Jennie Kinsey from exercising administrative authority based on the fact that her mother had previously been the subject of a Florida Judicial Qualifications Commission proceeding. Arce had filed fifteen related pro se extraordinary petitions or notices in the Florida Supreme Court since 2024, none of which resulted in the relief he sought.

PROCEDURAL HISTORY

Arce sought to compel the chief judge of the First District Court of Appeal to remove a circuit judge from administrative supervision over cases in the First Judicial Circuit and sought stays concerning two domestic-relations cases. The Supreme Court denied mandamus relief on January 16, 2026, retained jurisdiction regarding possible sanctions, and issued a show-cause order. After considering Arce's response, the Court found that he had repeatedly filed frivolous or inappropriate pro se petitions and directed the Clerk to reject future related filings unless signed by a member in good standing of The Florida Bar.

DISPOSITION

other

CASES CITED

- In re Kinsey, 842 So. 2d 77 (Fla. 2003)

- Arce v. Chief Judge Timothy D. Osterhaus, No. SC2025-1811 (Fla. Jan. 16, 2026)
- Arce v. Arce, No. 1D2025-1602 (Fla. 1st DCA Sept. 24, 2025)
- Arce v. Arce, No. 1D2025-1404 (Fla. 1st DCA Dec. 18, 2025)
- Neitzke v. Williams, 490 U.S. 319, 325 (1989)
- Pettway v. McNeil, 987 So. 2d 20, 22 (Fla. 2008)
- Arce v. Arce, No. SC2024-1822 (Fla. Jan. 31, 2025)
- Arce v. Arce, No. SC2025-0771 (Fla. June 9, 2025)
- Arce v. Arce, No. SC2025-0706 (Fla. June 27, 2025)
- Arce v. Arce, No. SC2025-1055 (Fla. Aug. 12, 2025)
- Arce v. Arce, No. SC2025-1322 (Fla. Sept. 2, 2025)
- Arce v. Arce, No. SC2025-1337 (Fla. Sept. 3, 2025)
- Arce v. Arce, No. SC2025-1491 (Fla. Sept. 29, 2025)
- Arce v. Arce, No. SC2025-1492 (Fla. Sept. 29, 2025)
- Arce v. Arce, No. SC2025-1381 (Fla. Oct. 15, 2025)
- Arce v. Arce, No. SC2025-1653 (Fla. Oct. 22, 2025)
- Arce v. Arce, No. SC2025-1652 (Fla. Oct. 22, 2025)
- Arce v. Arce, No. SC2025-1608 (Fla. Oct. 23, 2025)
- Arce v. Arce, No. SC2025-1683 (Fla. Oct. 29, 2025)
- Arce v. Arce, No. SC2025-1755 (Fla. Jan. 20, 2026)

OPINION

PER CURIAM.

Supreme Court of Florida _____ No. SC2025-1811 _____ ARMANDO ARCE, Petitioner, vs. CHIEF JUDGE TIMOTHY D. OSTERHAUS, Respondent. April 23, 2026 PER CURIAM. Armando Arce, a pro se litigant, filed in the First District Court of Appeal a petition for writ of mandamus and two motions to stay, all of which were transferred to this Court.

The petition and motions raised issues concerning two domestic relations cases litigated in the First Judicial Circuit (Okaloosa County) in case numbers 462023DR002903CXXXXX and 462023DR004081CXXXXX.¹ In the mandamus petition, Arce sought an order compelling 1.

We have jurisdiction. See art. V, § 3(b)(8), Fla. Const. Chief Judge Timothy D. Osterhaus of the First District Court of Appeal to remove circuit court Judge Jennie Kinsey from exercising any “administrative supervision” or authority over cases in the First Judicial Circuit. 2 Arce claimed that this was not an attempt to recuse Judge Kinsey from a specific case.

Rather, his asserted basis for relief was the fact that Judge Kinsey’s mother was once the subject of a Florida Judicial Qualifications Commission case. See *In re Kinsey*, 842 So. 2d 77 (Fla. 2003). In addition, Arce sought to stay all proceedings related to case numbers 462023DR002903CXXXXX

and 462023DR004081CXXXXX in both the circuit court and the First District Court of Appeal, notwithstanding the fact that all cases in the district court were closed.

On January 16, 2026, we denied mandamus relief and expressly retained jurisdiction to pursue possible sanctions against Arce. *Arce v. Chief Judge Timothy D. Osterhaus*, No. SC2025-1811 (Fla. Jan. 16, 2026); see Fla. R. App. P. 9.410(a) (Sanctions; Court's Motion).

We now find that Arce has failed to show cause why he 2. Judge Kinsey is the presiding judge in Arce's ongoing domestic relations cases. -2- should not be barred, and we sanction him as set forth below. Arce has filed numerous cases in this Court and in the First District Court of Appeal pertaining to his underlying domestic relations cases.

The First District barred Arce from filing any pro se pleadings related to case number 462023DR002903CXXXXX. *Arce v. Arce*, No. 1D2025-1602 (Fla. 1st DCA Sept. 24, 2025). It then barred him from all future pro se filings in that court. *Arce v. Arce*, No. 1D2025-1404 (Fla. 1st DCA Dec. 18, 2025). Including the mandamus petition in this case, Arce has filed fifteen pro se extraordinary petitions or notices to invoke with this Court since 2024, all related to Okaloosa County case numbers 462023DR002903CXXXXX and 462023DR004081CXXXXX.

3 The 3. See *Arce v. Arce*, No. SC2024-1822 (Fla. Jan. 31, 2025) (mandamus dismissed); *Arce v. Arce*, No. SC2025-0771 (Fla. June 9, 2025) (mandamus transferred); *Arce v. Arce*, No. SC2025-0706 (Fla. June 27, 2025) (habeas denied); *Arce v. Arce*, No. SC2025-1055 (Fla. Aug. 12, 2025) (prohibition denied); *Arce v. Arce*, No. SC2025-1322 (Fla. Sept. 2, 2025) (notice to invoke dismissed); *Arce v. Arce*, No. SC2025-1337 (Fla.

Sept. 3, 2025) (notice to invoke dismissed); *Arce v. Arce*, No. SC2025-1491 (Fla. Sept. 29, 2025) (notice to invoke dismissed); *Arce v. Arce*, No. SC2025-1492 (Fla. Sept. 29, 2025) (notice to invoke dismissed); *Arce v. Arce*, No. SC2025-1381 (Fla. Oct. 15, 2025) (habeas denied); *Arce v. Arce*, No. SC2025-1653 (Fla. Oct. 22, 2025) (appeal transferred); *Arce v. Arce*, No. SC2025-1652 (Fla.

Oct. 22, 2025) (appeal transferred); *Arce v. Arce*, No. SC2025-1608 (Fla. Oct. 23, -3- Court has never granted the relief sought in any of those cases; his petitions and notices were either denied, dismissed, or transferred— only to be denied or dismissed by the lower court.

In response to this Court's show cause order, Arce repeats much of the argument from his petition—he suggests that he will persist in challenging the domestic violence injunction and insists that his pleadings are justified, not frivolous.

We disagree. "Frivolous" is defined as "[l]acking in high purpose; trifling, trivial, and silly" and "[l]acking a legal basis or legal merit; manifestly insufficient as a matter of law." Black's Law

Dictionary (12th ed. 2024); see also *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (stating that a complaint is frivolous “where it lacks an arguable basis either in law or in fact”).

Regarding the instant petition, Arce’s request to prohibit Judge Kinsey from serving as administrative judge is simply an attempt to circumvent his previously denied attempts to recuse Judge Kinsey in his domestic 2025) (prohibition denied); *Arce v. Arce*, No. SC2025-1683 (Fla. Oct. 29, 2025) (notice to invoke dismissed); *Arce v. Arce*, No. SC2025-1755 (Fla. Jan.

20, 2026) (mandamus denied). -4- relations cases. Arce’s prior cases before this Court were similarly frivolous. Upon consideration of Arce’s response, we find that he has failed to show cause why sanctions should not be imposed.

Therefore, based on Arce’s extensive history of filing pro se petitions and requests for relief that were frivolous or otherwise inappropriate for this Court’s review, we now find that he has abused this Court’s limited judicial resources. See *Pettway v. McNeil*, 987 So. 2d 20, 22 (Fla. 2008) (explaining that this Court has previously “exercised the inherent judicial authority to sanction an abusive litigant” and that “[o]ne justification for such a sanction lies in the protection of the rights of others to have the Court conduct timely reviews of their legitimate filings”).

If no action is taken, Arce will continue to burden this Court’s resources. Accordingly, we direct the Clerk of this Court to reject any future pleadings or other requests for relief submitted by Armando Arce relating to case numbers 462023DR002903CXXXXX and 462023DR004081CXXXXX, unless such filings are signed by a member in good standing of The Florida Bar.

No motion for rehearing or clarification will be considered by -5- this Court. It is so ordered. MUÑIZ, C.J., and LABARGA, COURIEL, GROSSHANS, FRANCIS, SASSO, and TANENBAUM, JJ., concur. Original Proceeding – Mandamus Armando Arce, pro se, Crestview, Florida, for Petitioner No appearance for Respondent -6-