

IN THE COUNTY COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, PINELLAS COUNTY

STATE OF FLORIDA,

Plaintiff,

Case No. 

vs.

AARON SMITH-LEVIN,

Defendant.

PROCEEDINGS: Motion/Pretrial

DATE: October 17, 2025

BEFORE: The Honorable Kathleen T. Hessinger
County Court Judge

PLACE: Pinellas County Justice Center
14250 49th Street North
Clearwater, Florida 33762

REPORTER: Jill D. Gershon
Digital Court Reporter

Administrative Office of the Courts
Digital Court Reporting Department
Pinellas County Justice Center
14250 49th Street North, Ste. H-2000
Clearwater, Florida 33762
(727) 453-7474

A P P E A R A N C E S

APPEARING ON BEHALF OF THE STATE OF FLORIDA:

Natalie Taylor, Assistant State Attorney
Office of Bruce Bartlett, State Attorney
Sixth Judicial Circuit, Pinellas County
14250 49th Street North
Clearwater, Florida 33762

APPEARING ON BEHALF OF THE DEFENDANT:

Lee Pearlman, Esquire
Law Office of Pearlman Trial Group
2274 State Road 580
Clearwater, Florida 33763

P R O C E E D I N G S

THE COURT: Mr. Pearlman.

MR. PEARLMAN: Good morning, Your Honor.

THE COURT: Morning. How are you doing today?

MR. PEARLMAN: Living that dream -- just like you, Your Honor.

THE COURT: You're always living that dream, Mr. Pearlman.

MR. PEARLMAN: I say lots of things, Judge.

Your Honor, I'm here on Aaron Smith-Levin. He is present. He's coming forward.

This is both pretrial and the State's motion for no contact with the victim.

THE COURT: Yes, I got to pull up a Zoom here. Hold on.

(Unrelated courtroom conversations.)

THE COURT: The victim is appearing by Zoom because he's in some type of training.

MS. TAYLOR: Yes.

THE COURT: Hi. Do I have Mr. Gaffney?

(Witness appearing via Zoom.)

MR. GAFFNEY: Yes, Your Honor.

THE COURT: All right. Thank you. We -- we're proceeding on the State versus Smith-Levin case.

All right, State, this is your motion for no

1 contact order.

2 Is there any objection to this, Mr. Pearlman?

3 MR. PEARLMAN: There's no objection to contact
4 with the listed victim, Your Honor. The foundational
5 understanding is my client has been openly and
6 actively testifying against the Church of Scientology
7 for over two years at this point.

8 It is -- been something that he has been doing
9 on a weekly basis multiple times.

10 THE COURT: I'm sorry. Testifying in court or
11 standing on a corner --

12 MR. PEARLMAN: It's a standing-on-a-corner type.
13 I -- I think that's a fair assessment. He also does
14 a lot of blogging.

15 THE COURT: Well, it's not testifying. He's out
16 there --

17 MS. TAYLOR: Protesting.

18 THE COURT: -- I don't know what the word I'm
19 using.

20 MR. PEARLMAN: If I said testifying, protesting
21 is a better word.

22 THE COURT: Yeah, protesting is a word --

23 MR. PEARLMAN: I'm wrong.

24 THE COURT: -- I'm looking for.

25 MR. PEARLMAN: He is protesting the Church of

1 Scientology.

2 THE COURT: That's why when you said testifying,
3 I'm like, what?

4 MR. PEARLMAN: Yeah. That'd be the wrong word
5 choice.

6 THE COURT: Okay. It's okay. I couldn't think
7 of the right word choice, so we've got --

8 MR. PEARLMAN: No, he's been protesting.

9 THE COURT: -- it, he's protesting then.

10 MR. PEARLMAN: Yes, Your Honor.

11 THE COURT: Okay.

12 MR. PEARLMAN: And they are very clearly, you
13 know, lineated lines as far as the private versus
14 city property. He has essentially been abiding by
15 that.

16 In this situation, this is at -- at best, a
17 push-back scenario where my client was attempting to
18 talk to somebody in one of the buildings. The listed
19 victim is a security guard.

20 There may have been --

21 MS. TAYLOR: Mr. Pearlman.

22 MR. PEARLMAN: Yes.

23 MS. TAYLOR: That's the facts of the nonarrest
24 battery --

25 MR. PEARLMAN: Okay.

1 MS. TAYLOR: -- that he's since picked up since
2 this happened.

3 MR. PEARLMAN: What is this -- well
4 (unintelligible)?

5 THE COURT: This is the throwing of some chalk.

6 MS. TAYLOR: This is when he threw powdered
7 chalk in the victim's face.

8 MR. PEARLMAN: Oh, there's video of this one,
9 Your Honor, I apologize. Whether there's an actual
10 battery or not will be highly disputed whether the
11 powder got onto him.

12 The -- the point I think we're making is that
13 there's been no intentional touching or contacting.
14 We have no objection to the no contact with this
15 victim as long as he is allowed to continue in a
16 nonviolent manner legal protesting that he has
17 undergone for the last two years or continued to
18 enforce the last two years.

19 THE COURT: All right. State, tell me what your
20 side of this is.

21 MS. TAYLOR: Yes, Your Honor. Our position is
22 that we are requesting that the defendant remain away
23 from the victim, but specifically stay 500 feet away
24 from the victim's place of employment. The victim is
25 a licensed security guard with the Church of

1 Scientology.

2 With his role, he goes to -- he is kind of
3 interchangeably moved around different properties
4 within the Church within the city of Clearwater.

5 I've spoken with the victim. The victim is in
6 fear of the defendant.

7 Since the filing of this motion, I have received
8 a video that was -- occurred on October 9th of the
9 defendant going up to the victim while the victim is
10 on -- is on a sidewalk near the property.

11 I am happy to show that video to the Court. I
12 will also advise that we received a nonarrest battery
13 that Mr. Pearlman brought up that occurred on
14 September 20th where the defendant approached the
15 doors of Scientology, was trying to put his phone in
16 the door, and in that process, he put his hands up
17 and pushed a member of the Church.

18 I've -- I've spoken with Ms. Ellis and
19 Mr. Bartlett, himself, has advised that we file this
20 new battery charge against the defendant.

21 So it's the State's position that he is
22 escalating his behavior and we would ask that this
23 no contact order, again, apply that he is to remain
24 500 feet away from the victim's place of employment.

25 THE COURT: All right. And let me see the

1 video.

2 MS. TAYLOR: Your Honor, could I approach with
3 Mr. Pearlman?

4 THE COURT: Uh-huh.

5 MS. TAYLOR: Okay.

6 (Sidebar.)

7 THE COURT: Can everyone see it?

8 MR. PEARLMAN: (Unintelligible), Judge.

9 MS. TAYLOR: That's the defendant
10 (unintelligible) and this occurred on October 9th,
11 the day after the State filed the motion.

12 THE COURT: Who are the rest of these people?

13 MS. TAYLOR: That's the context of it.

14 MR. PEARLMAN: Those are Scientologists
15 (unintelligible).

16 (Open court.)

17 THE COURT: All right.

18 MR. PEARLMAN: Your Honor, if I could just
19 briefly respond?

20 THE COURT: Uh-huh.

21 MR. PEARLMAN: Our objective here isn't --
22 again, we're not seeking contact with the listed
23 victim. We have no objection to that being granted.
24 It's the 500-foot component him being allowed to be
25 on public property.

1 What we see in that video, that we're not asking
2 to allow for that to occur. It is simply for him to
3 be able to do -- pursue his beliefs and his ability
4 to protest an entity that he strongly disagrees with.
5 So that's the main focus for us at this time,
6 Your Honor.

7 THE COURT: You know, I was looking at
8 Mr. Smith-Levin who -- when the State mentioned that
9 video and he was adamantly shaking his head, no, but,
10 yet, there's a video showing exactly what the State
11 just said he was doing.

12 So I don't know what your beef is
13 Mr. Smith-Levin with, I guess, the Church of
14 Scientology, but it is getting a little concerning to
15 me that, yes, everybody has a right to protest.
16 That's the American way -- do -- do what you want to
17 do, but seems to me that you're amping it up for some
18 reason maybe because you're not getting enough
19 attention, I don't know. We'll find out.

20 But I am concerned with the video I just saw
21 here with the allegations that are in this complaint
22 and now there's another nonarrest allegation out
23 there against you.

24 So I am going to grant the motion for no contact
25 and no contact will mean that you will have no

1 contact with Mr. Gaffney. You'll have no contact
2 with his place of employment which means that you
3 can protest all you want, but you stay 500 feet away
4 from the Church of Scientology. So you can protest
5 500 feet away from it.

6 You'll have -- you will not come within 500 feet
7 of Mr. Gaffney, of his place of employment. You will
8 not reach out to him by any way of social media. You
9 will not have any third parties reach out to him on
10 any type of social media. You are not to have any
11 phone calls with him or any other contact with him
12 whatsoever.

13 You are not to stick your phone in his face.
14 You want a video, you video 500 feet away. Do you
15 understand that?

16 THE DEFENDANT: Yes, Your Honor.

17 Can I ask one question? Is that okay?

18 MR. PEARLMAN: (Unintelligible).

19 THE COURT: Your Honor, the -- the Flag Land
20 Base -- Scientology base downtown is actually a --
21 composed of 200 properties. Is the order that I stay
22 500 feet away from any building on --

23 THE COURT: Every one of those properties. If
24 he's security at every one of those properties and he
25 rotates around through them, then you stay 500 feet

1 away from him.

2 You can stand 500 feet away and protest all you
3 want, but you sat here and shook your head, no, that
4 you didn't do what the State was saying that you did
5 do and I just saw it on the video, so quite frankly,
6 Mr. Smith-Levin, I don't trust that you're going to
7 stay away from him which means that you are to stay
8 500 feet away from his place of employment.

9 If his place of employment is every one of those
10 buildings, then you are to stay 500 feet away from
11 him.

12 MR. PEARLMAN: Your Honor, we're pretrial for
13 today. We would like to --

14 THE COURT: Hold on. Let me do the order here.

15 MR. PEARLMAN: Yeah.

16 (Attorney/client conversation.)

17 THE COURT: This is a plural victims in here and
18 there's only a singular victim as far as I'm -- know;
19 is that correct, State?

20 MS. TAYLOR: I'm sorry, Your Honor, could you
21 repeat that?

22 THE COURT: You have a plural victims under
23 Number 4.

24 MS. TAYLOR: Yes, that was an error, Your Honor.
25 It is one victim, Mr. John Gaffney.

1 MR. PEARLMAN: Your Honor, my client would like
2 me to -- we're not in any way challenging the outcome
3 of the ruling at this time. He just wants you to be
4 aware he did not -- he doesn't really know the
5 identity of the listed victim. That was an
6 individual he was recording based on his interactions
7 and what he's doing with his online protests. So it
8 wasn't intentional contact with the listed victim, it
9 was just part of what he was doing at this point.

10 Your ruling stands and we're not challenging
11 that, obviously.

12 THE COURT: I get that, but that just kind of
13 goes with the concern of my behavior with him is that
14 he has a right to protest absolutely 100 percent, God
15 bless America. I don't have any problem with that
16 whatsoever. Your -- that's your right as an American
17 citizen.

18 But your whole thing of -- and I -- if I
19 remember, there was a video -- a phone that you're up
20 there trying to put your phone in people's faces so
21 that you can have content on whatever social media
22 thing you have. All right?

23 You're now taking this a step further than your
24 right to protest under our Constitution. You're now
25 just trying to make some fun out of your social

1 media, maybe get some hits, get some likes, get
2 whatever it is that people do on social media. I
3 don't know because I don't do social media.

4 But you've now taken that a step further than
5 the right that you're talking about -- your right to
6 protest. So be careful what you're doing, all right,
7 because we've gone beyond that now. And whether you
8 believed it was this gentleman or somebody else,
9 you're still just now starting to get to the point
10 where maybe -- and I don't know because I don't know
11 all the facts, I'm just taking what I'm seeing right
12 now -- that maybe you're starting to harass people
13 who actually work there as opposed to your
14 Constitutional right to protest.

15 So don't walk over that line of your right to
16 protest versus you then now starting to commit crimes
17 against people, whether it's harassing, whether it's
18 a battery, whether whatever -- whatever it is because
19 if you're doing it just for social content, then your
20 whole free speech protest, yada, yada just kind of
21 going out the door. Understand?

22 THE DEFENDANT: Yes.

23 THE COURT: State, what drives me crazy is when
24 you all do not proofread your forms.

25 MS. TAYLOR: Yes, Your Honor.

1 THE COURT: State, I mean -- Madam Clerk, can
2 you -- can you print me out the no contact order that
3 you all have here?

4 Thank you.

5 Tracy, can I please have copies, please?

6 THE CLERK: Your Honor, I have a -- a copy for
7 the State and the --

8 THE COURT: Oh, okay, great. All right. Then
9 I --

10 MR. PEARLMAN: Thank you.

11 THE COURT: No, never mind.

12 All right. Again, Mr. Smith-Levin, you protest
13 all you want. You have a constitutional right to do
14 that, but don't step over the line. Okay?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: And I'm worried that you're starting
17 to step over the line, you're going to end up getting
18 yourself in trouble.

19 All right. So today's also set for a pretrial?

20 MR. PEARLMAN: Yes, Your Honor.

21 THE COURT: So State, what is your
22 recommendation on this case?

23 MS. TAYLOR: Yes, Your Honor. The State's
24 recommendation is an adjudication of guilt with \$875
25 in fines and court costs with 12 months of probation

1 where the defendant is to have no contact with the
2 victim and pay restitution.

3 We are still working with the victim on the
4 restitution figure as the victim did go to the
5 hospital after this, but we should have that figure
6 by the next court date.

7 THE COURT: Okay.

8 MS. TAYLOR: Oh, and investigative costs in the
9 amount of \$58.28 to the Clearwater Police Department.

10 THE COURT: All right. And do you have all the
11 discovery, Mr. Pearlman?

12 MR. PEARLMAN: I have some of the discovery.
13 I'm going to ask for a two- to three-week reset
14 because I think we need to figure out what's going on
15 with the nonarrest. It sounds like the State's going
16 to be filing that.

17 I anticipate setting trial on this particular
18 case and then I would like to see the additional
19 discovery that the State has on the NTA -- or the
20 nonarrest, excuse me, and then, we can go from there.
21 I think that's just the course we'll end up taking.

22 THE COURT: Okay. All right. I can give you
23 November 13th is the earliest I've got.

24 MR. PEARLMAN: Let's take that, Your Honor.
25 I'll explain to my client procedurally the next steps

1 of all of this and how I anticipate it will unfold
2 and then we can definitively pick a date that day or
3 if we're moving towards resolution, we'll let the --
4 the Court know obviously.

5 THE COURT: Okay. Pretrial conference
6 November 13th at 8:30. And Mr. Smith-Levin, confirm
7 your address, please.

8 THE DEFENDANT: 120 South Brinwood Avenue,
9 Clearwater, Florida 33755.

10 MS. TAYLOR: That's what I have, Your Honor.

11 THE COURT: All right, great.

12 All right, we'll see you all on November 13th at
13 8:30.

14 MR. PEARLMAN: Yes, Your Honor, thank you for
15 your time.

16 THE COURT: All right. Thank you.

17 All right, Mr. Gaffney, I'm going to disconnect
18 you.

19 MR. GAFNEY: Great. Thank you, Your Honor.

20 (Proceedings concluded.)

CERTIFICATE OF COURT REPORTER

STATE OF FLORIDA

COUNTY OF PINELLAS

I, Jill D. Gershon, a digital court reporter for the Sixth Judicial Circuit, do hereby certify that I was authorized to and did transcribe the foregoing proceedings and that the transcript is a true and correct record of said proceedings.

DATED this 1st day of December, 2025.

/S Jill D. Gershon
Jill D. Gershon
Digital Court Reporter
Sixth Judicial Circuit