

<https://www.newsbreak.com/tampa-bay-28-563666/2511281545510-woman-loses-seffner-home-after-father-s-guardian-sues-her-for-libel>

## TRENDING

**Woman loses Seffner home after father's guardian sues her for libel**

**By Adam Walser,**

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As our ongoing series [“The Price of Protection”](#) continues, the ABC Action News I-Team uncovers how the daughter of a man in guardianship lost her home after speaking out about what she believed was her father’s poor care.

The same guardian who sued her for libel and won is currently awaiting trial for exploitation, perjury and grand theft.

“I’ve got my four dogs in my car right now and I don’t even know where I’m going to sleep tonight,” said Lesa Martino.

The sign taped to what used to be her door was delivered by deputies carrying a court order, with a locksmith in tow.

That order said Martino can’t return to the home she’s lived in for the past eight years.

WFTS Lesa Martino watches as trash haulers load her belongings into a trailer.

A \$480,000 house... the price of speaking out

Martino, a licensed pharmacist, bought the house for \$295,000 in 2014.

It's located in a quiet Seffner subdivision.

“This is unbelievable,” she said. “My home that I worked for and paid cash for because I had worked so hard.”

The new owner is Gainesville attorney [John Hayter](#), who obtained the four-bedroom, three-bath, 2,900 square foot house at a court-ordered levy sale with a bid of \$100,000.

“He used ‘judgment credit’ so he didn’t actually dish out \$100,000 at the bidding,” Martino said.

[Zillow](#) estimates the home’s value at \$480,000.

That judgment credit came from Hayter's client, disgraced former professional guardian [Traci Hudson](#) . She's currently awaiting trial on 20 felony counts after being charged with stealing from elderly people under her care.

Martino's trouble started when Hudson, then known as Traci Samuel, was appointed guardian of her father Roland Martino.

Roland is a retired pharmacist with dementia.

"When she became the guardian, within a month, my father had bruises on him and he seemed like he was being drugged," Lesa Martino said.

Lesa Martino Lesa and her father Roland Martino in 2017

Lesa Martino Lesa complained to state agencies and in court documents that her father appeared drugged under Traci Samuel's care.

Martino repeatedly complained about her father's care which led to the guardian obtaining a gag order and later a "no contact order" preventing Martino from communicating with her father and his guardian.

In 2018, Martino filed complaints about her father's care with multiple agencies, according to the lawsuit.

Those agencies included the Florida Department of Children and Families, the Florida Department of Elder Affairs and the Pinellas County Sheriff's Office.

Those complaints didn't result in any charges.

"It's just so unfair ... I was a whistle blower to the corruption and then I get punished," Martino said.

According to the lawsuit, Martino also left remarks on social media and reviews on websites referring to Samuel as a "liar," "exploiter," "vulture" and "witch."

"I end up getting a surprise lawsuit of libel-slander, saying the things I said were slanderous," Martino said.

In August 2018, a judge issued a default judgment, writing in the order that Martino "failed to file a response or introduce any evidence."

Martino said she didn't receive notice of the hearing.

The judge awarded the guardian \$160,000 in damages.

Guardian who won libel case charged with felonies

Fifteen months later, [Hudson was arrested](#) after prosecutors say she stole more than \$500,000 from another senior under her care.

Last year, Hudson was indicted on additional charges involving two additional victims.

Pinellas County Sheriff's Office Traci Hudson being booked in 2019 for felony charge of exploitation of a senior citizen.

The investigating agencies were the same ones Martino contacted about her concerns.

As Hudson prepared for trial on the criminal charges, attorney Hayter started foreclosure proceedings against Martino, adding an additional \$80,000 for attorney fees.

Hayter argued Martino's house, which was deeded to a limited liability corporation comprised of Martino and her two children, should be sold to satisfy the judgment.

"There was nothing about the house because the house was in an LLC. The LLC was not the one being sued," Martino said.

But the judge disagreed.

Martino spent thousands on attorneys.

After running out of money, she represented herself and filed dozens of motions and multiple appeals.

On January 25, Martino argued to the Florida Court of Appeals that her home should be protected under [Florida's Homestead Law](#).

Courtesy: Florida 2nd DCA Lesa Martino argues to the Florida Court of Appeals in late January, arguing that her home should be saved from foreclosure. Attorney John Hayter argued she had no standing under Florida's Homestead Law.

Article X, Section 4 of the Florida Constitution says, "There shall be exempt from forced sale under process of any court, and no judgment, decree or execution shall be a lien thereon."

"I have been living in this home consistently since March 2014. There's no other homestead. There's been no proof I've lived anywhere else," Martino said.

Hayter argued during the hearing that the property was not in her name, so didn't qualify for protection.

**“Until sometime right around the levy, the property was either held in the name of the LLC or the name of the appellant’s daughter,” Hayter said.**

**Martino also argued the original judgment shouldn’t stand, since there was no proof her statements were untrue or harmed the reputation of the guardian.**

**“The case involves an alleged felon. And the law’s the law. I’m entitled to equal protection under the law,” Martino said.**

**Appeals exhausted, owner evicted, home’s contents hauled away**

**The day after that hearing, before the Florida Court of Appeals ruled, Hayter bought the property.**

**The judge in the original libel suit signed an order allowing the sale to move forward.**

**Eight days later, Martino was locked out of the home.**

**She said she didn’t have time to arrange for movers to remove her personal items.**

**The next day, Hayter came to the house and immediately called the Hillsborough County Sheriff’s office requesting that our news team be removed from a public sidewalk beside a county-owned road.**

**Deputies did not respond while we were there.**

**When we asked Hayter about the case, he responded “No comment, period.”**

**Employees of a trash-hauling company then cleared out the contents of Martino’s home and loaded them into a trailer.**

**WFTS Attorney John Hayter oversees a crew cleaning out Lesa Martino's former home.**

**WFTS Note left on Lesa Martino's car which appeared to come from attorney John Hayter warning her she would be prosecuted if she was found at her former home.**

**They did not tell Martino where they were taking her things**

**“All I know is it belongs to me, it doesn’t belong to them,” she said. “This is really just unbelievable that this can even happen in our country.”**

**She filed an emergency motion to try to keep her possessions from being thrown into the dump, but no immediate action was taken by the court.**

**Martino is staying in a hotel and has no idea where she’s going to live next. She said she’s exhausted all of her savings on litigation and doesn’t even have enough money to pay a deposit on an apartment.**

If you have a story you think the I-Team should investigate, email us at [adam@abcactionnews.com](mailto:adam@abcactionnews.com) .