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State

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

FILED

2000 JUN -2 A 11: 14

MATTIE LOMAX

Petitioner,

Case # 08-0931

DIVISION OF
ADMINISTRATIVE
HEARINGS

v.

WAL-MART STORES EAST

Respondent.

**MOTION, APPLICATION
FOR DETRMINATION OF CIVIL INDIGENT STATUS**

Notice to Applicant: If you qualify for civil indigence you must enroll in the clerk's office payment plan and pay a one-time administrative fee of \$25.00

1. I have 0 dependents. (include only those persons you list on your U.S. income tax return.) Are you Married? Yes (No) Does your Spouse Work?... Yes (No) Annual Spouse Income? \$ 0.

2. I have a net income of \$ 1,241.94 paid weekly every two weeks semi-monthly (monthly) yearly other 0.
(Net income is your total income including salary, bonuses, commissions, allowances, overtime, tips and similar payments, minus deductions required by law and other court-ordered payments such as child support.)

3. I have other income paid weekly every two weeks semi-monthly monthly yearly other 0. (Circle "Yes" and fill in the amount if you have this kind of income, otherwise circle "No")

Second Job.....Yes \$ <u>(No)</u>	Veterans' benefits.....Yes \$ <u>(No)</u>
Social Security benefits	Workers compensation.....Yes \$ <u>(No)</u>
For you.....Yes \$ <u>(No)</u>	Income from absent family members.....Yes \$ <u>(No)</u>
For child (ren)....Yes \$ <u>(No)</u>	Stocks/bonds.....Yes \$ <u>(No)</u>
Unemployment	
Compensation.....Yes \$ <u>(No)</u>	Rental income.....Yes \$ <u>(No)</u>
Union payments...Yes \$ <u>(No)</u>	Dividends or interest.....Yes \$ <u>(No)</u>
Retirement	
/pensions.....Yes \$ <u>(No)</u>	other kinds of income not on the list.....Yes \$ <u>(No)</u>
Trusts.....Yes \$ <u>(No)</u>	

I understand that I will be required to make payments for fees and costs to the clerk in accordance with §57.082(5), Florida Statutes, as provided by law, although I may agree to pay more if I choose to do so.

4. I have other assets: (Circle "yes" and fill in the value of the property, otherwise circle "No")

Cash.....	Yes \$ <u>100</u> No	Savings account.....	Yes \$ <u>100</u> No
Bank account(s).....	Yes \$ <u>100</u> No	Stocks/bonds.....	Yes \$ <u> </u> No
Certificates of deposit or		Homestead Real Property.....	Yes \$ <u> </u> No
Money market accounts.....	Yes \$ <u> </u> No	Motor Vehicle.....	Yes \$ <u> </u> No
Boats.....	Yes \$ <u> </u> No	Non-homestead real	
		Property/real estate.....	Yes \$ <u>31,772.00</u> No

* show loans on these assets in paragraph 5

Check one: I DO DO NOT expect to receive more assets in the near future. The asset is .

5. I have total liabilities and debts of \$ 6,363.89 as follows: Motor Vehicle \$. Rent \$ 550.00 mo.
Other Real Property \$. Child Support paid direct \$. Credit Cards \$ 737.36
Medical Bills \$. Cost of other \$ 248.99

6. I have a private lawyer in this case..... Yes No

A person who knowingly provides false information to the clerk or the court in seeking a determination of indigent status under s. 57.082, F.S. commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S. I attest that the information provided on this application is true and accurate to the best of my knowledge.

Signed this 30 day of May, 2008.


Signature of Applicant for Indigent Status
Print Full Legal Name Mattie Twynette Lomax
Phone Number: (305) 573-9161

02/09/1950 L52055850549
Date of Birth Driver's License or ID Number

P.O. Box 01-5262, Miami, Florida 33136
Address, P.O. Address, Street, City, State, Zip Code

CLERK'S DETERMINATION

Based on the information in this Application, I have determined the applicant to be () Indigent () Not Indigent, according to s. 57.082, F.S.

Dated this _____ day of _____, 20 ____.

Clerk of the Circuit Court by _____

This form was completed with the assistance of: _____
Clerk/Deputy Clerk/Other authorized person.

**APPLICANTS FOUND NOT TO BE INDIGENT MAY SEEK REVIEW BY A JUDGE BY ASKING FOR A HEARING TIME.
THERE IS NO FEE FOR THIS REVIEW.**

Sign here if you want the judge to review the clerk's decision _____

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

MATTIE LOMAX

Case #. 08-0931

Petitioner(s),

vs.

WALMART STORES EAST,

Respondent (s).

_____ /

AFFIDAVIT

BEFORE ME appeared Defendant, MATTIE LOMAX who being first duly sworn deposes and says:

That the affiant is a resident of the State of Florida, sign to prosecution of the above styled case MOTION, APPLICATION FOR DETRMINATION OF CIVIL INDIGENT STATUS, Florida Statutes 57.082. That the affiant has read the attached MOTION, APPLICATION FOR DETRMINATION OF CIVIL INDIGENT STATUS, Florida Statutes 57.082 in which is incorporated into and make part of the MOTION APPLICATION FOR DETRMINATION OF CIVIL INIGENT STATUS, Florida Statutes 57.082 and that the affiant knows the facts stated in the MOTION be true base on her personal knowledge. That based on the foregoing, the affiant feels that this MOTION APPLICATION FOR DETRMINATION OF CIVIL INDIGENT STATUS is true to the STATE OF FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS.


AFFIANAT

Sworn to and subscribed before me this 30th day of May, 2008

Jean-Denis Nacier
NOTARY PUBLIC STATE OF FLORIDA A LARGE

My commission Expires: JUNE 29th, 2010



Jean-Denis Nacier
Commission # DD569546
Expires June 29, 2010
Bonded Troy Fain - Insurance, Inc. 800-385-7019

CERTIFICAT OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished to:

LITTLER MENDELSON, P.C., Attn: Linda Noel Fleurimond, One Biscayne Tower,
Suit 1500, 2 S. Biscayne Boulevard, Miami, Florida 33131 by certified mail on this
30 day of May, 2008.

(See attachments)

cc: State of Florida Division of Administrative Hearings

By: Mattie Lomax

MATTIE LOMAX
P.O. Box 01-5262
Miami, Florida 33101
(305) 573-9161

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MATTIE LOMAX,

Petitioner(s),

vs.

WALMART STORES EAST,

Respondent(s).

)
)
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) Case No. 08-0931
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SUBPOENA DUCES TECUM

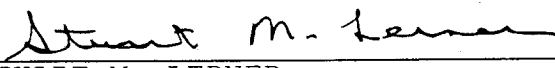
TO: Wal-Mart Stores East, L.P.
Store # 2814, Cashier, Marie Elena Castillo of the electronic department
93 Northwest 77th Ave.
Hialeah, Florida 33016

YOU ARE COMMANDED to appear at The Ruth Bryan Owen Rohde Building,
401 Northwest 2nd Avenue, Miami, Florida 33101, video teleconference,
room N-106 to testify at a deposition/final hearing (strike
one) at 9:00 o'clock a.m., on the 23th day of June, 2008.

YOU ARE FURTHER COMMANDED to have with you at said time and place the
following (use additional paper if necessary):

YOU SHALL RESPOND to this Subpoena as directed unless excused by the
party who requested issuance of the Subpoena or by order of this Division.

ISSUED this 5th day of May, 2008, in Tallahassee, Florida.


STUART M. LERNER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675 SUNCOM 278-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

THIS SUBPOENA HAS BEEN ISSUED AT THE REQUEST OF:

Mattie Lomax, (305) 573-9161
POST OFFICE BOX 015262
Miami, Florida 33101

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MATTIE LOMAX,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. 08-0931
	)	
WALMART STORES EAST,	)	
	)	
Respondent.	)	
_____	)	

ORDER GRANTING CONTINUANCE AND
RE-SCHEDULING HEARING BY VIDEO TELECONFERENCE

This cause having come before the undersigned on Petitioner's Motion for Continuance, filed May 7, 2008, and the undersigned having reviewed the record in this cause, it is, therefore,

ORDERED that:

1. The motion is hereby granted, and the final hearing in this cause scheduled for June 9, 2008, is hereby canceled.
2. This cause is hereby re-scheduled for final hearing on June 23, 2008 at 9:00 a.m., or as soon thereafter as can be heard by video teleconference at sites in Miami and Tallahassee, Florida. The Miami site will be at the Department of Management Services, Video Room N-106, The Ruth Bryan Owen Rohde Building, 401 Northwest 2nd Avenue. The Tallahassee site will be at the Division of Administrative Hearings, Hearing Room 8, the DeSoto Building, 1230 Apalachee Parkway. Witnesses, parties, representatives, and/or attorneys may report to either site. The Administrative Law Judge will be at the Tallahassee site. Continuances will be granted only by order of the Administrative Law Judge for good cause shown.
3. Except as modified herein, all other provisions of the first Notice of Hearing shall remain in full force and effect.

4. All subpoenas previously issued and served shall remain in full force and effect for the re-scheduled hearing date as to any witness who is provided with a copy of this Order.

The agency shall be responsible for making the necessary arrangements for a court reporter. The court reporter will be at the Miami site.

DONE AND ORDERED this 13th day of May, 2008, in Tallahassee, Leon County, Florida.



STUART M. LERNER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
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Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 13th day of May, 2008.

COPIES FURNISHED:

Denise Crawford, Agency Clerk
Florida Commission on Human Relations
2009 Apalachee Parkway, Suite 100
Tallahassee, Florida 32301

Mattie Lomax
POST OFFICE BOX 015262
Miami, Florida 33101

Linda Noel Fleurimond, Esquire
Littler Mendelson, PC
2 South Biscayne Boulevard, Suite 1500
Miami, Florida 33131

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's secretary no later than seven days prior to the hearing. The Judge's secretary may be contacted at the address or telephone numbers above, via 1-800-955-8771 (TDD), or 1-800-955-8770 (Voice) Florida Relay Service.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MATTIE LOMAX,)
)
Petitioner(s),)
vs.) Case No. 08-0931
)
WALMART STORES EAST,)
)
Respondent(s).)

SUBPOENA DUCES TECUM

TO: Wal-Mart Stores East
Store # 2814, Loss Prevention, Jessy Fair
93 Northwest 77th Ave.
Hialeah, Florida 33016

YOU ARE COMMANDED to appear at The Ruth Bryan Owen Rohde Building,
401 Northwest 2nd Avenue, Miami, Florida 33101, video teleconference,

room N-106 to testify at a deposition/final hearing (strike
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Respondent.	)	
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Petitioner(s),)
vs.) Case No. 08-0931
)
WALMART STORES EAST,)
Respondent(s).)

SUBPOENA DUCES TECUM

TO: Wal-Mart Stores East,
Store # 2814, Carlos Espino, electronics department
93 Northwest 77th Ave.
Hialeah, Florida 33016

YOU ARE COMMANDED to appear at The Ruth Bryan Owen Rohde Building,
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POST OFFICE BOX 015262
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Littler Mendelson, PC
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MATTIE LOMAX,)
)
Petitioner(s),)
) Case No. 08-0931
vs.)
)
WALMART STORES EAST,)
)
Respondent(s).)

SUBPOENA DUCES TECUM

TO: Hialeah Gardens
Police Department
Attn: Lt. Carlos Fojo
10301 Northwest 87th Ave.
Hialeah Gardens, Florida 33016

YOU ARE COMMANDED to appear at The Ruth Bryan Owen Rohde Building,
401 Northwest 2nd Avenue, Video Room N-106, Miami, Florida 33101

Video teleconference to testify at a deposition/final hearing (strike
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STATE OF FLORIDA
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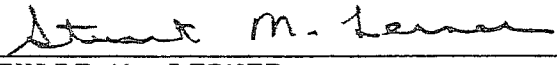
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COPIES FURNISHED:

Denise Crawford, Agency Clerk
Florida Commission on Human Relations
2009 Apalachee Parkway, Suite 100
Tallahassee, Florida 32301

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POST OFFICE BOX 015262
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) Case No. 08-0931
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SUBPOENA DUCES TECUM

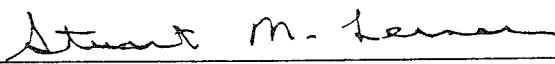
TO: Wal-Mart Stores East,
Store # 2814, Sigfredo Gomez, electronics department
93 Northwest 77th Ave.
Hialeah, Florida 33016

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Administrative Law Judge
Division of Administrative Hearings
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In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's secretary no later than seven days prior to the hearing. The Judge's secretary may be contacted at the address or telephone numbers above, via 1-800-955-8771 (TDD), or 1-800-955-8770 (Voice) Florida Relay Service.

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