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**IN THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR DUVAL COUNTY, FLORIDA**

MARIA V. CHESHIRE

November 20, 2014

Plaintiff, Pro Se,

Case No.; 16-2014-CA-007778

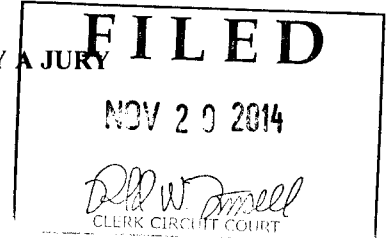
Division: CV-G

vs.

DEMAND: TRIAL BY A JURY

JEA,

Defendant,



**MOTION FOR DEFAULT FOR FAILURE TO APPEAR AND/OR DEFEND AND
MOTION FOR FINAL JUDGMENT AFTER DEFAULT
ON BEHALF OF PLAINTIFF**

COMES NOW the Relator Maria V. Cheshire and MOVES this Honorable Court for the entry of a recurring Default against the Defendant JEA for failure to obtain the suitable Counsel to represent it in this cause and for failing to properly defend this action and as grounds, therefore, would state as follows:

1. On December 17, 2013 Relator Cheshire filed the 'Verified *Qui Tam* Complaint' on behalf of State of Florida and herself under Florida False Claims Act, Section 68.082 and Florida Statutes §112.3187 et seq. in the Second Judicial Circuit in and for Leon County, Tallahassee (this is the only Court which has jurisdiction over such type Cases); Case No.: 2013-CA-003521 has been filed on December 19, 2013; the Honorable John C. Cooper was assigned previously to this Case. Later, on July 01, 2014, (after "rotation") Case re-assigned to the Honorable James C. Hankinson, presiding Circuit Judge.

2. When this Case was unsealed, on July 14, 2014, Maria Cheshire served the JEA with Summons and Complaint.

3. Defendant JEA was obligated to obtain a Counsel of Record and to have such Counsel file a Notice of Appearance within 20 days or by August 03, 2014.

4. Instead of it Defendant JEA allowed to **Kelly H. Papa** from the Jacksonville Office of General Counsel to conduct the proceedings.

5. However, Counsel Papa **did not file the Appearance Notice** and did not provide her E-mail for service of copies of Motions and other papers filed by Plaintiff on this Office.

6. Counsel Papa failed as well to submit the Answers to the initial Complaint.

7. In place of it **the Assistant General Counsel Kelly H. Papa** has filed **untimely two unsigned and insufficient** '*Motion to Dismiss or in Alternative Motion for Change of Venue*'. The full analysis of these Motions done in the Cheshire's "*Verified Motion to Strike the 'Motion to Dismiss...'*" filed on August 05, 2014.

8. However, the Leon County Court entered an "*Order Denying Plaintiff's Motion to Strike Defendant JEA's Motion to Dismiss and Granting Defendant's Motion for Change of Venue*" dated on August 18, 2014 allowing the JEA to move the Case to the **Duval County Courthouse** which **has no jurisdiction to hear such type of Cases**.

9. Moreover, **the Honorable James C. Hankinson**, from the Second Judicial Circuit Judge, must not offer ANY Order because Cheshire's '*Motion for Default*' has been filed on August 09, 2014 and entered on Court File on August 14, 2014.

10. The anonymous (it is provided some initials which cannot constitute the real signature) Clerk of Court did not entered the Default against Defendant JEA. She provided **false statement** that "**8-15-14 – Default not entered. Answer/Response filed by Defendant**" while no any Answer or Response has been filed whatsoever.

11. There are more **errors** found in the **Docket Summary** of Leon County Court such as:

(a) this Case never has been **closed**, it was **transferred** pursuant the August 18, 2014 Order ‘...Granting Defendant’s Motion for Change of Venue’ [‘Order’], however, the date of TRANSFER the Case not shown;

(b) this ‘Order’ entered in the Leon County but **missing** in the Duval County Courthouse: it was **deleted** by either Leon County Clerk before transfer or by **Duval County Clerk Tara Chavers** who kept this Case in her desk **unfiled** since September 05, 2014. The copy of this ‘Order’ is attached as Exhibit 1;

(c) **Certified Docket Summary is falsified and incomplete**: Maria Cheshire has never filed the Motion to RE-OPEN the Case because there no Order closing or dismissing entire Case exists. However, the Clerk (with not printed name under signature) **demanded \$50.00** for “re-opening” the Case. A copy of Clerk’s letter dated by September 05, 2014 and Cheshire’s money order’s **Customer’s Receipt - \$50.00** are attached hereto as Exhibit 2;

(d) the Tallahassee Clerk **received \$50.00** as indicated by Court Date Stamp ‘FILED 2014 SEP 17 PM 2:46’ at the Cheshire’s **handwritten note** concerning her Motion for Default and PAID FEES in amount of \$50.00 for the service she never requested, but the **Docket** is showing Balance of **unpaid Fees** [Exhibits 3 & 4];

(e) the Tallahassee Docket (12/19/2013) indicates that **Filing Fees \$400.00** – **Paid** by Plaintiff Maria Cheshire, Receipt No.: 866442 [Exh. 7], however, the identical line in the Jacksonville Docket is **missing**. Instead of it the line “*CASE FEES PAID \$401.00 ON RECEIPT NUMBER 2255648*” appeared on Docket Sheet states that

Defendant JEA paid for transfer the Case; It was the very long and hard discussion between Plaintiff Cheshire and Clerks of both Courts; she was unable to proceed her action forward because **this Case kept over two month in the desk of Clerk Tara Chavers unfilled: this Clerk** said that Tallahassee did not send a check with the whole amount for transfer of the Case and Maria Cheshire should pay the difference \$1.00. Plaintiff did not file a Motion to Transfer her Case, moreover, she strongly **opposed this unlawful action**, but she offered \$1.00 and her dollar has been ...refused! The **Supervisor** said, "We cannot file your Case on Record because the Defendant must pay for transfer the Case, we do not received the full amount; do you want me to pay for your Case?" Both Clerks DEFRAUDED LITIGANT CHESHIRE UNDER COLOR OF LAW: actually, the Fees for Transfer of the Case must be paid additionally and separately from the INITIAL FILING FEES. Then Maria Cheshire contacted the **Court Reporter Larry Hannan** from the "Florida Times-Union" and JEA immediately found 'missing' \$1.00 and Case has been filed on Record on November 06, 2014;

(f) however, every Line of the 'new' Docket Sheet has the SAME DATE: **11/06/2014** as if this is the completely new Case that never has been transferred. It will be more comfortable to show two dates: DATE OF FILING and DATE OF ENTERING ON RECORD. For example, when someone to observe the Leon County Docket, it seems, that there is no DEFAULT whatsoever because the 'SUMMONS RETURNED EXECUTED' on 07/28/2014 and 'MOTION TO DISMISS OR IN ALTERNATIVE, MOTION FOR CHANGE OF VENUE' **filed** by Defendant JEA on 07/31/2014; an Amended Motion to Dismiss **filed** on 08/01/2014. But, IN FACT, the Summons and Complaint served on 07/14/2014. Accordingly, the Amended Mo. to Dismiss eliminated

the original Mo. to Dismiss and this Motion Maria Cheshire received in **21 days**. And as we remember, the **Fla.R.Civ.P. 1.140 (b)** requires that Mo. to Dismiss MUST BE filed **within 10 days** after Service of Summons. Therefore, Defendant JEA was in Default during **11 days** and it **still in Default** because this Utility business has never filed any Answer or Response to Complaint. Detailed explanations see below.

12. Now, there are some information for the opposing **Counsel Kelly Papa** and excerpts from the Florida Rules of Civil Procedure, Statutes and Case Law filed here on purpose to assist the Court in hope to get **honest** and **fair** consideration and Final Order or Judgment after Default on behalf of Plaintiff Cheshire.

13. The power to make rules of procedure for Florida courts of law and equity is vested by the Florida Constitution in the Supreme Court of the State. Article V, Section 2, Constitution of Florida (1968) as amended effective January 1, 1973, provides: "*The supreme court shall adopt rules for the practice and procedure in all courts...*"

14. Rule making power governing procedure is paramount in the Supreme Court – [*State ex rel. Sentinel Star Co. v. Lambeth*, 192 So. 2d 518 (Fla. 4th DCA 1966)].

15. Rules made by the Supreme Court, although subject to construction and interpretation by trial courts, **may not be set aside or nullified by trial courts** – [*Ser-Nestler, Inc. v. General Financial Loan Co. of Miami Northwest*, 167 So. 2d 230 (Fla. 3rd DCA 1964)].

16. Likewise, the District Courts of Appeal are bound by, and may not alter or waive the Rules – [*Kinsey v. State*, 179 So. 2d 108 (Fla. 1st DCA 1965)].

17. Rules of practice and procedure adopted by Supreme Court are binding on trial court, clerk, litigants and counsel – [*State v. Lott*, 286 So. 2d 565 (Fla. 1973)].

18. Amendment to rule changing word “**must**” to the word “**shall**” rendered the rule **mandatory** rather than directory – [*Sapp v. State*, 411 So. 2d 363 (Fla. 4th DCA 1982)].

19. The Court has held that the limitation is “implicit” that the power to make rules “*shall neither abridge, enlarge, nor modify the substantive rights of any litigant*” – [*State v. Furen*, 118 So. 2d 6, 12 (Fla. 1960)]. ALSO SEE: [*Lundstrom v. Lyon*, 86 So. 2d 771 (Fla. 1956)]. It means that the **Assistant General Counsel Kelly H. Papa** **MUST** **SHALL NOT** raise the flag and flash by her status advising ‘*at premises*’ (actually, at the **Ex-Parte** communications ignoring the Plaintiff) the Court to brake the Rule of Supreme Court and Florida Statutes concerning the disposition of the *Qui Tam* Cases.

20. The generally oppose any burden being placed on the rights of person to seek redress of injuries from the Courts.

21. **All civil and criminal court proceedings are public events**, and court records of proceedings are public. Strong presumption favors public access to proceedings and records – [*Sentinel Communications Co. v. Watson*, 615 So. 2d 768 (Fla. 5th DCA 1993)]. So, can litigant Maria Cheshire, *Pro Se*, **attend the Hearing** of her Case and see the Court Record of her Case **unmolested**? Or is it too much to ask?

22. The Counsel for JEA filed two Motions to Dismiss under **Fla.R.Civ.P. 1.420 (b)**. She did not specify any ground, facts and the Law which allegedly broken by the Plaintiff Cheshire. She **did not serve the Notice of Hearing** on her **contested** Motions to Dismiss. Therefore, **her Motions are INSUFFICIENT and shall be not granted even partially**. Such Motions are never accepted as an ANSWER and/or RESPONSE [Exh.6].

23. Second part of JEA’s Motions to Dismiss: *Motion for Change of Venue* must

be filed:

(a) **PRIOR to filing an Answer** in the Case or venue is waived (it is crystal clear that **this Motion as well cannot be a substitute for the Answer**);

(b) the **Counsel for JEA Kelly H. Papa** must file an Affidavit in Support of her Motion for Change of Venue, but she didn't;

(c) she must set her **opposed** Motions for **Hearing**, but she didn't;

(d) **Counsel Papa** must pay applicable **Transfer Fees**, but she didn't.

24. Therefore, and the second part of the JEA's Motions to Dismiss is INSUFFICIENT. Maria Cheshire filed her initial Complaint in the PROPER JUSTICE PRECINCT.

25. The 'only' things the **Counsel Papa** did:

(a) she **unlawfully sneaked into Court** without Appearance Notice;

(b) she **did not sign her Motions** to Dismiss;

(c) she attended **secretly** (without Notice served on Plaintiff Cheshire) **the Ex-Parte Hearing** which always set for **short** and **uncontested issues** that not required reviewing the entire Case File;

(d) **Counsel Papa** COMMITTED FRAUD ON THE COURT by **falsely advised** the new Judge who just recently has been "rotated" from one Division to another and had no chance to see any of his, probably, hundreds Cases!

(e) **Counsel Papa** STOLEN the Plaintiff's Filing Fees in amount of **\$400.00** (REFUSED to add even **\$1.00** to cover the difference in the Filing Fees set in different Courts).

(f) she **fraudulently obtained the Dismissal Order** from Judge Hankinson in Tallahassee;

(g) Despite the provisions of the Florida Supreme Court and Florida Statutes, **Counsel Papa did transfer the said action to the COURT WITH LACK OF JURISDICTION**; and finally:

(h) **Counsel for JEA Ms. Papa badly challenged the Dockets in both Courts by DELETING the original dismissal Order from the Duval County Courthouse Record and making other ‘adjustments’, described above, which fit to her needs;**

(i) **the most likely, she conspired with and bribed the Clerks of Courts who ‘helped’ her to achieve her criminal acts on behalf of Defendant JEA.**

26. Following the Defendant’s failure to **timely obtain the proper Counsel of Record and defend itself**, as required by Law, the Plaintiff Cheshire is filing this second Motion for Default, now before **the Honorable Lawrence P. Haddock**, presiding Judge.

27. The time for compliance with the Supreme Court’s provisions concerning the *Qui Tam* Cases has elapsed; the Defendant JEA is still in DEFAULT.

28. The Defendant’s **Counsel Kelly H. Papa** refusal to comply with the Supreme Court’s Orders, Florida Statutes and Florida Rules of Civil Procedure are part of a repeated and continuing pattern of **deliberate and willful conduct** throughout this Case evidencing a **willful and contumacious disregard** for the Supreme Court’s Orders and its authority. This pattern of deliberate and willful refusal to comply with the rules of procedure further clearly establishes **intent** on the part of the Defendant to **refuse to properly defend this Case** and, instead of it, to simply **delay** its progress and **harass** the

Plaintiff Cheshire by blaming her in the wrongs she never committed in her life.

29. On contrary, Maria Cheshire spent so much time and labor for putting this Case straight and her effort shall be definitely rewarded. Defendant JEA shall pay all **Compensatory Damages** requested in this Case. The **Punitive Damages** in this Case shall be considered and awarded by a Jury Trial.

30. Accordingly, Plaintiff Maria V. Cheshire demands the right to be heard by a Jury for all issues so triable. "***The right of trial by jury as declared by the Constitution or by statute shall be preserved to the parties inviolate***" – The Florida Rule of Civil Procedure 1.430 (a).

WHEREFORE, the Relator/Plaintiff Maria V. Cheshire MOVES this Honorable Court for an Order of Default against the Defendant JEA determining liability and **setting a Trial Date** to determine Cheshire's claims for **Compensatory** and **Punitive Damages** and/or awarding all other relief deemed appropriate by this Court.

EXHIBITS: SEVEN (7) PAGES

Case No.: 16-2014-CA-007778
Division CV-G

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the true copy of the foregoing "Motion for Default for Failure to Appear and/or Defend and Motion for Final Judgment after Default on Behalf of Plaintiff" was mailed on November 20, 2014 by the USPS 1st Class Mail to the Assistant General Counsel Kelly H. Papa at address: Office of General Counsel, 117 West Duval Street, Suite 480, Jacksonville, FL 32202.

SIGNATURE: M. Cheshire /Maria V. Cheshire/

Respectfully submitted, M. Cheshire Maria V. Cheshire, 3353 Gilmore St.
Jacksonville, FL 32205; Phone: 904.303.2536. E-mail: **penblue710@yahoo.com**

EXHIBIT 1

11

IN THE CIRCUIT COURT, SECOND
JUDICIAL CIRCUIT, IN AND FOR
LEON COUNTY FLORIDA

STATE OF FLORIDA,
EX REL MARIA CHESHIRE

Case No: 2013- CA-003521

Plaintiff,
vs.
JEA,
Defendant.

**ORDER DENYING PLAINTIFF'S MOTION TO STRIKE DEFENDANT
JEA'S MOTION TO DIMISS AND GRANTING DEFENDANT'S
MOTION FOR CHANGE OF VENUE**

This matter came before the Court on the JEA's Amended Motion to Dismiss, or in the Alternative Motion for Change of Venue in the qui tam action filed by the Relator Maria Cheshire on behalf of the State of Florida, and the Plaintiff's Motion to Strike the same. The Court, having fully considered the Motions filed by the respective parties herein, and being otherwise fully informed, makes the following findings of fact and conclusions of law:

1. The JEA is a governmental body with its principal place of business in Jacksonville, Duval County, Florida.
2. Maria Cheshire filed a Complaint against JEA, based in tort and on the Florida False Claims Act. Fla. Stat. § 68.082(2)(a).
3. Pursuant to Rules 1.140(b)(3) and 1.140(b)(6), Florida Rules of Civil Procedure (Fla.R.C.P.), JEA filed a Motion to Dismiss, or in the Alternative; Motion for Change of Venue, as well as an Amended Motion to Dismiss; or in the Alternative Motion for Change of Venue within the time period prescribed by law.
4. Plaintiff and Relator Maria Cheshire filed a Motion to Strike JEA's Amended

Motion to Dismiss, or in the Alternative, Motion for Change of Venue.

5. Courts may strike matters from any pleadings on their own initiative, or by motion by either party, which are redundant, immaterial, impertinent, or scandalous. Rule 1.140(f), Fla.R.C.P.

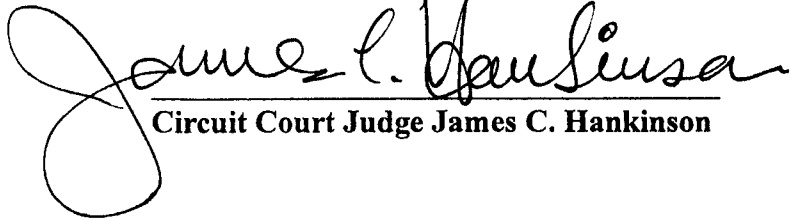
6. The Amended Motion to Dismiss, or in the Alternative; Motion for Change of Venue filed by Defendant JEA does not contain pleadings which are redundant, immaterial impertinent, or scandalous.

7. As a governmental defendant, JEA enjoys a home venue privilege as an absolute right. Jacksonville Elec. Authority v. Clay County Utility Authority, 802 So.2d 1190 (Fla. 1st DCA 2002); review dismissed, 821 So.2d 293 (Fla. 2002).

Therefore, it is hereby ORDERED and ADJUDGED:

1. Relator and Plaintiff Maria Cheshire's Motion to Strike the JEA's Amended Motion to Dismiss, or in the Alternative, Motion for Change of Venue, is **DENIED**.
2. The JEA's Motion for Change of Venue is **GRANTED**.
3. This action is transferred to the Circuit Court of the Fourth Judicial Circuit, in and for Duval County, Florida.
4. The clerk of this court shall transmit the contents of the court file to the clerk of that court with a certified copy of this order.

ORDERED at Tallahassee, Leon County, Florida on this 18th day of August, 2014.


Circuit Court Judge James C. Hankinson

Copies to: Maria Cheshire, *Pro Se*
Kelly Papa, Attorney for JEA

EXHIBIT 2



Bob Inzer

Clerk of Circuit Court and Comptroller

www.clerk.leon.fl.us

Clerk of Courts ♦ Clerk of County Commission ♦ Auditor ♦ Treasurer ♦ Recorder ♦ Custodian of County Funds

September 05, 2014



CUSTOMER'S RECEIPT

Cheshire, Maria
3353 Gilmore Street
Jacksonville, FL 32205

Re: Case # 2013 CA 00

Dear Sir/Madam:

SEE BACK OF THIS RECEIPT
FOR IMPORTANT CLAIM
INFORMATION

**NOT
NEGOTIABLE**

Pay to

Address

Bob Inzer

301 S. Monroe St., #100

Tallahassee, FL 32301

Serial Number

Year, Month, Day

Post Office

Amount

21714076427

2014-09-11

322051

\$50.00

On 09/05/2014, you filed a new case or reopen motion or requested services like copies or recording with this office in the above case. The paperwork has been processed, but you have not paid the statutorily required fees of \$50.00. Please submit payment to this office within 90 days of the date of this letter.

If we have not received your payment by the date noted, a \$25.00 administrative set up fee per FS 28.24(26) will be assessed. In addition, pursuant to FS 28.246(6), this matter may be referred to a collection law firm, which could add 40% to the amount owed.

Please submit your payment in person or mail payment to the address noted below. Make sure to reference your case number when presenting payment.

Thank you for your immediate attention to this issue.

Sincerely,

Deputy Clerk

301 S. MONROE STREET SUITE 100
TALLAHASSEE, FL 32301
PHONE (850) 577-4000

EXHIBIT 3

Dear
Clerks!

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Clerk of Court,
301 S. Monroe St.,
Room 100,
Tallahassee, FL
32301

2. Article Number
(Transfer from service label)
PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *[Signature]* ☒ Agent ☐ Addressee

B. Received by (Printed Name): *Joe Hester*

C. Date of Delivery: *08.09.14*

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7012 2920 0002 5156 0882
Domestic Return Receipt *MAILED*
102595-02-M-1540

Motion of Default
against JEA
received in your office

Please send me a copy
of Docket sheet together
with receipt (\$50.00).

Thank you
Best wishes.

M. Clay

09.11.14. P.S. this money order
sent by the USPS
(*) Cont. mail # 7012 2920 0002 5156 07

FILED
SEP 17 PM 2:46
BOB INZER
CLERK & COMPTROLLER
LEON COUNTY, FLORIDA

EXHIBIT 4

FILED

NOV 06 2014

D. W. Amell
CLERK CIRCUIT COURT

Leon County

Docket Summary - Case Number 2013 CA 003521

Page:

13-2014-CA-7778 CV-6

Cases Type

Status

File Date Judge

CIRCUIT CIVIL - QUI TAM - F.S. 68.082

CLOSED

12/19/2013 JAMES C HANKINSON

PARTY INFORMATION

STATE OF FLORIDA

PLAINTIFF

Attorney: PRO SE

Additional Party Name: AKA STATE OF FLORIDA

Additional Party Name:

Additional Party Name:

JEA

DEFENDANT

Attorney: PRO SE

Dismissed Date: 07/31/2014

Attorney: KELLY HEBDEN PAPA

ATTORNEY AT LAW, 301 S MONROE STREETSUITE 401, TALLAHASSEE, FL 32301

DEFAULT: 8504882458

CHESHIRE, MARIA

PLAINTIFF

Attorney: PRO SE

DISPOSITION

Court Type Description: CIRCUIT CIVIL

Disposition: DISMISSED BEFORE HEARING - OTHER

Disposition Date: 02/12/2014

SCHEDULED EVENTS

Event Type	Block Date	Start Time	Location	Judge	Result Date	Result
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FEEES

Date	Description	Total Fee	Waved Amount	Amount Paid	Balance
12/19/2013	COMPLAINT	\$400.00	\$0.00	\$400.00	\$0.00
07/03/2014	SUMMONS ISSUED	\$10.00	\$0.00	\$10.00	\$0.00
09/05/2014	REOPENED CASE FEE	\$50.00	\$0.00	\$0.00	\$50.00
Grand Total:		\$460.00	\$0.00	\$410.00	\$50.00

DOCKET

Date	Docket Description
------	--------------------

1 12/19/2013	VERIFIED QUI TAM COMPLAINT
2 12/19/2013	JUDGE COOPER, JOHN C: ASSIGNED
3 12/19/2013	CIVIL FEE LATE LETTER

A Certified Copy
Attest:

Bob Inzer

Clerk & Comptroller
Leon County, Florida

By:

Deputy Clerk



Leon County
Docket Summary - Case Number 2013 CA 003521

DOCKET

Date	Docket Description
4 12/31/2013	PAYMENT \$400.00 RECEIPT #866442
✓ 5 02/12/2014	NOTICE OF VOLUNTARY DISMISSAL
✓ 6 02/21/2014	RELATORS OBJECTIONS TO THE STATE OF FLORIDA NOTICE OF VOLUNTARY DISMISSAL AND MOTION FOR ORDER TO COMPEL DISCOVERY OF PRE TRIAL INVESTIGATIONS
✓ 7 02/21/2014	MOTION TO BE EXCUSED FROM E MAIL SERVICE
8 07/01/2014	JUDGE REASSIGNMENT PER ADMIN ORDER AO2014-05 FROM JUDGE Cooper TO JUDGE Hankinson reassigned on: 07/01/2014
9 07/03/2014	PAYMENT \$10.00 RECEIPT #926632
✓ 10 07/10/2014	LETTER REGARDING SUMMONS AND SUMMONS FEE SENT BY CERTIFIED MAIL
✓ 11 07/28/2014	SUMMONS RETURNED EXECUTED
✓ 12 07/31/2014	MOTION TO DISMISS OR IN THE ALTERNATIVE; MOTION FOR CHANGE OF VENUE
✓ 13 08/01/2014	AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE; MOTION FOR CHANGE OF VENUE
✓ 14 08/11/2014	VERIFIED MOTION TO STRIKE THE "MOTION TO DISMISS OR IN THE ALTERNATIVE; MOTION FOR CHANGE OF VENUE AND "AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE; MOTION FOR CHANGE OF VENUE" AS SHAM, FALSE, UNTRUE AND UNAUTHORIZED INTERVENTION OF OFFICE OF GENERAL COUNSEL FOR CITY OF JACKSONVILLE IN THE COURT PROCEEDINGS OF THE ABOVE STYLED CASE
✓ 15 08/14/2014	MOTION FOR DEFAULT NOT SIGNED BY CLERK AS AN ANSWER FILED BY DEFENDANT
✓ 16 08/18/2014	ORDER DENYING PLAINTIFF'S MOTION TO STRIKE DEFENDANT JEA'S MOTION TO DISMISS AND GRANTING DEFENDANT'S MOTION FOR CHANGE OF VENUE
17 08/19/2014	LETTER REQUESTING TRANSFER FEE
✓ 18 09/03/2014	MOTION TO SET ASIDE "ORDER DENYING PLAINTIFF'S MOTION TO STRIKE DEFENDANT JEA'S MOTION TO DISMISS AND GRANTING DEFENDANT'S MOTION FOR CHANGE OF VENUE"
✓ 19 09/05/2014	CIVIL FEE LATE LETTER
✓ 20 09/09/2014	ORDER DENYING MOTION TO SET ASIDE ORDER DENYING PLAINTIFF'S MOTION TO STRIKE DEFENDANT JEA'S MOTION TO DISMISS AND GRANTING DEFENDANT'S MOTION FOR CHANGE OF VENUE
✓ 21 09/09/2014	ORDER DENYING AMENDED MOTION TO SET ASIDE ORDER DENYING PLAINTIFF'S MOTION TO STRIKE DEFENDANT JEA'S MOTION TO DISMISS AND GRANTING DEFENDANT'S MOTION FOR CHANGE OF VENUE

EXHIBIT 5

Relator Maria V. Cheshire
3353 Gilmore Street,
Jacksonville, FL 32205-5520
E-mail: penblue710@yahoo.com
Tel.: 904.303.2536.

To: The **Hon. Bob Inzer**, Clerk of Court,
Leon County Courthouse,
301 South Monroe Street, Room 100,
Tallahassee, FL 32301

January 20, 2014

RE: Case No.: 2013-CA-003521 (SEALED)

Dear Clerk of Court, **Bob Inzer**,

On December 23, 2013 I sent to your Office Money Order (\$400.00) of
Filing Fee. Please send me a Receipt in the enclosed pre-paid envelope.

Please inform me about progress of consideration of my Case.

If undersigned may be of any further assistance, please contact me by mails
at the above address. I am not comfortable to talk on phone.

Thank you for understanding.

Sincerely, M. Cheshire /Maria V. Cheshire/

EXHIBIT 6

Rule 1.420

(a) (1) **By Parties.** Except in actions in which property has been seized or is in the custody of the court, an action, a claim, or any part of an action or claim may be dismissed by plaintiff without order of court (A) before trial by serving, or during trial by stating on the record, a notice of dismissal at any time before a hearing on motion for summary judgment, or if none is served or if the motion is denied, before retirement of the jury in a case tried before a jury or before submission of a nonjury case to the court for decision, or (B) by filing a stipulation of dismissal signed by all current parties to the action. Unless otherwise stated in the notice or stipulation, the dismissal is without prejudice, except that a notice of dismissal operates as an adjudication on the merits when served by a plaintiff who has once dismissed in any court an action based on or including the same claim.

(2) **By Order of Court; If Counterclaim.** Except as provided in subdivision (a)(1) of this rule, an action shall not be dismissed at a party's instance except on order of the court and upon such terms and conditions as the court deems proper. If a counterclaim has been served by a defendant prior to the service upon the defendant of the plaintiff's notice of dismissal, the action shall not be dismissed against defendant's objections unless the counterclaim can remain pending for independent adjudication by the court. Unless otherwise specified in the order, a dismissal under this paragraph is without prejudice.

(b) **Involuntary Dismissal.** Any party may move for dismissal of an action or of any claim against that party for failure of an adverse party to comply with these rules or any order of court. Notice of hearing on the motion shall be served as required under rule 1.090(d). After a party seeking affirmative relief in an action tried by the court without a jury has completed the presentation of evidence, any other party may move for a dismissal on the ground that on the facts and the law the party seeking affirmative relief has shown no right to relief, without waiving the right to offer evidence if the motion is not granted. The court as trier of the facts may then determine them and render judgment against the party seeking affirmative relief or may decline to render judgment until the close of all the evidence. Unless the court in its order for dismissal otherwise specifies, a dismissal under this subdivision and any dismissal not provided for in this rule, other than a dismissal for lack of jurisdiction or for improper venue or for lack of an indispensable party, operates as an adjudication on the merits.

(c) **Dismissal of Counterclaim, Crossclaim, or Third-Party Claim.** The provisions of this rule apply to the dismissal of any counterclaim, crossclaim, or third-party claim.

EXHIBIT 7

Leon County
Docket Summary - Case Number 2013 CA 003521

Cases Type	Status	File Date	Judge
CIRCUIT CIVIL - QUI TAM - F.S. 68.082	OPEN	12/19/2013	JOHN C COOPER

PARTY INFORMATION

STATE OF FLORIDA PLAINTIFF

Attorney: PRO SE

Additional Party Name: AKA STATE OF FLORIDA

Additional Party Name:

Additional Party Name: DBA FLORIDA STATEHOSPITAL

Additional Party Name: AKA STATE OF FLORIDA

JEA DEFENDANT

Attorney: PRO SE

CHESHIRE, MARIA PLAINTIFF

Attorney: PRO SE

DISPOSITION

Court Type Description: CIRCUIT CIVIL

Disposition: UNDISPOSED

Disposition Date:

SCHEDULED EVENTS

Event Type	Block Date	Start Time	Location	Judge	Result Date	Result
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FEES

Date	Description	Total Fee	Waved Amount	Amount Paid	Balance
12/19/2013	COMPLAINT	\$400.00	\$0.00	\$400.00	\$0.00
Grand Total:		\$400.00	\$0.00	\$400.00	\$0.00

DOCKET

Date	Docket Description
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1 12/19/2013 VERIFIED QUI TAM COMPLAINT

2 12/19/2013 JUDGE COOPER, JOHN C: ASSIGNED

3 12/19/2013 CIVIL FEE LATE LETTER

4 12/31/2013 PAYMENT \$400.00 RECEIPT #866442

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