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

PROVIDED TO
HAMILTON CI

JUN 26 2019

RECEIVED BY Ym
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CASE NO. 16-2019-CA-2448
DIVISION: CV-H

RASHARD S. OLIPHANT #036760

Plaintiff's

VS

PETER AUGUSTUS GALLANT,
ELAINE MICHELLE GALLANT/
SUSAN D. WRIGHT

Defendants

FILED

JUL 01 2019

D. W. Amell
CLERK CIRCUIT COURT

MOTION FOR DEFAULT JUDGMENT

Plaintiff's move this Court for a Judgment by default in this action, and show that the Complaint in the above case was filed in this Court on the 8th day of MAY 2019; the Summons and Complaint were duly served on the Defendant, Susan D. Wright. No answer or other defense has been filed by the Defendant. Default was entered in this civil docket in the Office of this Clerk on the 19th day of JUNE 2019. No proceedings have been taken by the Defendant, since the default was entered. Defendant was not in military service and is not an infant or incompetent as appears in the declaration/ Affidavit of Plaintiff, Rashard S. Oliphant, submitted

to this Honorable Court by U.S. Postal Mail Services ON 20th day of JUNE (2019), (let the Courts Civil Case Docket in this case also reflect) AND Affidavit Application for ENTRY of Default ON 6th OF JUNE 2019 AND Declaration for ENTRY of Default.

Plaintiff, asserts that Defendant, Wright, conduct of Not filing Answer to Complaint as the Summons informed her to do within (30) days after Service was made upon her by Deputy Sheriff ON 4/8/19, displays she willfully defaulted by her reckless/willful disregard or intentional disregard coupled with willful ignored the judicial proceeding by her willful failure to file any answer to complaint, or any other papers in this cause and willful failed to submit to discovery request see Commonwealth Fed. Sav. & Loan Ass'n v. Tabor 569 So 2d 127 (Fla. 1990), Compenia Interamerican Export-Import, S.A. v. Compania Dominicana de Aviacion, 88 F.3d 948 at 952 (11th Cir. 1996) & Mercer v. Rasne 443 So 2d 944 at 946 (Fla 1983), "In Mercer, this Court held that" [a] deliberate will and contumacious disregard of the Court's authority will justify application of this severest of sanctions, as well as bad faith, willful disregard or gross indifference to an order of the Court, or conduct which evinces deliberate collusion.

The 11th Circuit Court In Case Companion
INTERAMERICANA EXPORT-IMPORT, S.A. V. COMPANY

88 F.3d 948 at 951-52 (11th Cir. 1996) "HOWEVER, IF
A PARTY WILLFULLY DEFAULTS BY DISPLAYING EITHER
AN INTENTIONAL OR RECKLESS DISREGARD FOR THE
JUDICIAL PROCEEDINGS, THE COURT NEED MAKE NO
OTHER FINDINGS IN DENYING RELIEF

Plaintiff, asserts the same equally applies Against defendant,
Wright, in this case at bar, where she has willfully defaulte
ed, and intentional or reckless disregarded the judicial
process. (THE DEFAULT WAS WILLFUL and therefore will not be vacated)

WHEREFORE, Plaintiff moves this
Honorable Court to make and enter a
Judgment in favor of The Plaintiff Against
+ Defendant, Susan D. Wright, Pay to the
Plaintiff Her Share of the \$90,000.00 in
Compensatory damages, which total \$30,000.00
and \$10,000.00 ^{in punitive damages} from each Defendant, Total-
ing \$40,000.00 Defendant shall be ordered
to Pay to Plaintiff for Damages And Plus
fees and costs, Plaintiff, Requested that
the Court Grant as it may appear that
Plaintiff is entitled. See "Relief Requested"
in his 1st Amended Complaint Page # 17,
And are also hereby Attached to this motion.

Date: 6/26 2019

Respectfully Submitted
Rashard S. Oliphant
Rashard S. Oliphant #836760
Hamilton C.I. Annex #1123-
11419 S.W. COUNTY RD #249
Jasper, FL 32059

CERTIFICATE OF SERVICE

I CERTIFY THAT I placed a True/Correct Copy of this foregoing motion for ~~ADJUDICATION~~ ^{ADJUDICATION} OF DEFAULT JUDGMENT in the physical hands of Hamilton C.T. mailing officer to be mailed by U.S. Mail Services to: ¹⁾ Clerk of The Court (Civil Division) 501 W. Adams St. Jacksonville, FL 32202 and ²⁾ Susan D. Wright 5158 Pickart Dr. Jacksonville, FL 32219 ON this 26 day of JUNE 2019.

Respectfully Submitted
/s/ Rashard S. Olyphant
Rashard S. Olyphant #036760

AFFIRMATION / DECLARATION

I, Rashard S. Olyphant, Plaintiff in this case declare under (penalty of (perjury)) pursuant to Section 92.525 (2) (Fla. STAT. 2018) that the facts stated within this (motion for Default Judgment) is true/correct this 26 day of June 2019

Respectfully Sincerely
/s/ Rashard S. Olyphant
(Affiant Signature)

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RELIEF REQUESTED

K). AWARD COMPENSATORY DAMAGES

1. \$20,000 Jointly and Severely against Defendants Peter, ELAINE & Susan for their Discriminatory Conduct resulted in Plaintiff suffering emotional distress from being subjected to Disparate Treatment & Disparate Impact / Differential Treatment, Also for unequal treatment.

2. \$20,000 Jointly and Severely against defendants PETER / ELAINE Gallant AND SUSAN Wright, for intentional Practicing racial discrimination against Plaintiff in housing privileges and enjoyment than other Residents under the same housing Whites / Spanish under the same set of circumstances resulted in Plaintiff suffering a distinct / palpable injury.

3. \$50,000 Jointly and Severely against Defendant's Peter / ELAINE Gallant AND SUSAN Wright, for interfering with the enjoyment of Plaintiff's rights to equal treatment, privileges violating Plaintiff secured rights under (FHA) STATE / Federal Laws, AND disregarded for these protected rights, defendants conduct resulted in Plaintiff suffering a distinct and palpable injury / Emotional distress Severely from Discriminatory Statement / threatening.

L. AWARD Punitive Damages in the following Amounts

M). \$10,000 against Each Defendant, Wright, Peter / ELAINE Gallant.

N). Grant such other relief as it may appear that Plaintiff is entitled.

O). To Award Plaintiff the Cost for Filing fees, Court Cost, AND All Other Costs associated with this Action

DATE: 5/8/2019

Respectfully Submitted
/s/ Rashard S. Oliphant
Rashard Sherife Oliphant 036760

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

RASHARD S. OLIPHANT #036760,
Plaintiff,

v.

CASE NO: 16-2019-CA-2448
Division: CV-H

PETER AUGUSTUS GALLANT,
ELAINE MICHELLE GALLANT,
SUSAN D. WRIGHT,
Defendant(s).

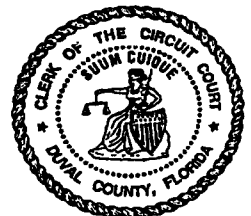
DEFAULT

A DEFAULT is entered in this action against the Defendant, Susan D. Wright, in the foregoing motion for (willful failure) to serve or file any answer or other papers, any document's as required by law in Fla. Rule of Civ. P. 1.140 (a)(1), after having being lawfully served with Summon/Complaint on 4/8/2019 by (JSO) Special Process Server, Janice M. Parker # 7195.

Dated: Jun 19, 2019

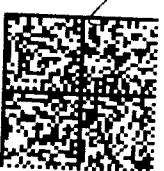
RONNIE FUSSELL
As Clerk of the Court

By:
As Deputy Clerk



Rashard S. Bishop # 336
Hampton C. I. Annex (F1153-1) A STATE CORRECTIONAL INSTITUTION
1419 S.W. County Rd # 249
Jasper, FL 32059

INDUSTRIAL



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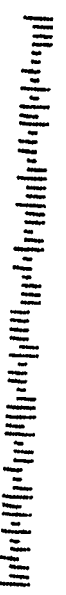
FILED

JUL 01 2019

W. W. Powell
CLERK CIRCUIT COURT

LEGAL MAIL

32202-466673



CASE # 16-2019-CR-2448
TO: CLERK OF THE COURT
CIVIL DIVISION
501 W. Adams ST.
JACKSONVILLE, FL 32202

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