

APPLICATION FOR NOMINATION
TO THE CIRCUIT COURT

SEBRINA L. SLACK, ESQUIRE



SUBMITTED JANUARY 22, 2016

TO THE SEVENTH CIRCUIT JUDICIAL
NOMINATING COMMISSION

APPLICATION FOR NOMINATION TO THE CIRCUIT COURT

(Please attach additional pages as needed to respond fully to questions.)

DATE: January 22, 2016 Florida Bar No.: 0392715

GENERAL: Social Security No.: [REDACTED]

1. Name Sebrina L. Slack E-mail: sslack@landispa.com

Date Admitted to Practice in Florida: October 2, 2000

Date Admitted to Practice in other States: Not Applicable

2. State current employer and title, including professional position and any public or judicial office.

Landis Graham French, PA - Managing Attorney

3. Business address: 145 E. Rich Avenue, Suite C

City DeLand County Volusia State FL ZIP 32724

Telephone (386) 734-3451 FAX (386) 736-1350

4. Residential address: _____

City _____ County _____ State FL ZIP _____

Since 02/2006 Telephone [REDACTED]

5. Place of birth: Daytona Beach, Volusia County, Florida

Date of birth: [REDACTED] Age: 45

6a. Length of residence in State of Florida: 40 years (Resident of Virginia 1995-2000)

6b. Are you a registered voter? Yes No

If so, in what county are you registered? Volusia County, Florida

7. Marital status: Married

If married: Spouse's name Donald E. Slack, Jr.

Date of marriage 11/21/2009

Spouse's occupation Retired

If ever divorced give for each marriage name(s) of spouse(s), current address for each former spouse, date and place of divorce, court and case number for each divorce.

Not Applicable

8. Children

Name(s) Age(s) Occupation(s) Residential address(es)

Not Applicable

9. Military Service (including Reserves)

Service Branch Highest Rank Dates

Not Applicable

Rank at time of discharge _____ Type of discharge _____

Awards or citations _____

HEALTH:

10. Are you currently addicted to or dependent upon the use of narcotics, drugs, or intoxicating beverages? If yes, state the details, including the date(s).

No

11a. During the last ten years have you been hospitalized or have you consulted a professional or have you received treatment or a diagnosis from a professional for any of the following: Kleptomania, Pathological or Compulsive Gambling, Pedophilia, Exhibitionism or Voyeurism?

Yes No

If your answer is yes, please direct each such professional, hospital and other facility to furnish the Chairperson of the Commission any information the Commission may request with respect to any such hospitalization, consultation, treatment or diagnosis. ["Professional" includes a Physician, Psychiatrist, Psychologist, Psychotherapist or Mental Health Counselor.]

Please describe such treatment or diagnosis.

11b. In the past ten years have any of the following occurred to you which would interfere with your ability to work in a competent and professional manner?

- Experiencing periods of no sleep for 2 or 3 nights
- Experiencing periods of hyperactivity
- Spending money profusely with extremely poor judgment
- Suffered from extreme loss of appetite
- Issuing checks without sufficient funds
- Defaulting on a loan
- Experiencing frequent mood swings
- Uncontrollable tiredness
- Falling asleep without warning in the middle of an activity

Yes No

If yes, please explain.

12a. Do you currently have a physical or mental impairment which in any way limits your ability or fitness to properly exercise your duties as a member of the Judiciary in a competent and professional manner?

Yes No

12b. If your answer to the question above is Yes, are the limitations or impairments caused by your physical or mental health impairment reduced or ameliorated because you receive ongoing treatment (with or without medication) or participate in a monitoring or counseling program?

Yes No

Describe such problem and any treatment or program of monitoring or counseling.

Not Applicable

13. During the last ten years, have you ever been declared legally incompetent or have you or your property been placed under any guardianship, conservatorship or committee? If yes, give full details as to court, date and circumstances.

No

14. During the last ten years, have you unlawfully used controlled substances, narcotic drugs or dangerous drugs as defined by Federal or State laws? If your answer is "Yes," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by Federal law provisions.)

No

15. In the past ten years, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs? If so, please state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No

16. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? If so, please state the date you were requested to submit to such a test, the type of test required, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason why you refused to submit to such a test.

No

17. In the past ten years, have you suffered memory loss or impaired judgment for any reason? If so, please explain in full.

No

EDUCATION:

18a. Secondary schools, colleges and law schools attended.

<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
George Mason Univ. School of Law	GPA = 3.00 (Top 50%)	08/1997 - 05/2000	Juris Doctorate
St. Thomas Univ. Graduate Business	NA	08/1993 - 05/1995	NA
University of Miami College of Arts	GPA = 2.927	08/1988 - 05/1992	Bachelor of Arts
Mainland Senior High School	GPA = 3.9	08/1985 - 06/1988	Diploma

18b. List and describe academic scholarships earned, honor societies or other awards.

George Mason University - School of Law

- Phillip C. Jessup International Law Moot Court Team - Best Regional Brief (1998)
- International Law Society - Secretary
- Corporate and Securities Track Specialization Certificate

University of Miami

- Bowman Ashe Scholarship (Academic)
- Member of the President's 100
- Tau Beta Sigma Honorary Sorority
- University of Miami Marching and Pep Bands

NON-LEGAL EMPLOYMENT:

19. List all previous full-time non-legal jobs or positions held since 21 in chronological order and briefly describe them.

<i>Date</i>	<i>Position</i>	<i>Employer</i>	<i>Address</i>
08/1992 - 07/1995	Assistant Librarian	St. Thomas Univ. School of Law	16401 NW 37 th Ave. Miami Gardens, FL
09/1995 - 08/1996	Assistant Librarian	Univ. of Virginia School of Medicine	PO Box 800793 Charlottesville, VA
09/1996 - 08/1997	Assistant Librarian	State Library of Virginia	800 E. Broad St. Richmond, VA

PROFESSIONAL ADMISSIONS:

20. List all courts (including state bar admissions) and administrative bodies having special admission requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have been suspended or resigned.

<i>Court or Administrative Body</i>	<i>Date of Admission</i>
Florida Bar	October 2, 2000
United States General District Court Middle District of Florida	June 1, 2006

LAW PRACTICE: (If you are a sitting judge, answer questions 21 through 26 with reference to the years before you became a judge.)

21. State the names, dates and addresses for all firms with which you have been associated in practice, governmental agencies or private business organizations by which you have been employed, periods you have practiced as a sole practitioner, law clerkships and other prior employment:

<i>Position</i>	<i>Name of Firm</i>	<i>Address</i>	<i>Dates</i>
Attorney	State Attorney's Office - 7 th Circuit	251 N. Ridgewood Daytona Beach, FL	10/2000 - 12/2002
Attorney	Florida Dept. of Revenue - Sales Tax	PO Box 7443 Tallahassee, FL	01/2003 - 10/2004
Attorney	Smith Hood Perkins Loucks Stout Bigman Lane & Brock	444 Seabreeze Blvd. Suite 900 Daytona Beach, FL	10/2004 - 04/2008
Attorney	Landis Graham French PA	145 E. Rich Ave. DeLand, FL	04/2008 - Present

22. Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

I am currently the managing attorney with the law firm of Landis Graham French PA. I primarily practice in the areas of general civil litigation and family law. In my civil practice, my typical clients include businesses or individuals with various legal issues including, landlord / tenant matters, contract disputes, homeowner association issues, employment issues, and some tort issues. I also have some probate litigation matters in which I am assisting my clients with disputes amongst the beneficiaries. In my family law practice, my typical clients are persons petitioning for dissolutions of their marriage and modifications or enforcement of existing court orders. As managing attorney, I am primarily responsible for the business operations of the firm including, staff issues, budgets and general office management.

Previously, while an associate with the law firm of Smith Hood Perkins, I practiced primarily in the area of general civil litigation, but also handled some family law and criminal defense matters. As an attorney for the Florida Department of Revenue, I represented the State in statutory appeals of sales tax assessments and prepared legal opinions on matters related to levies of sales tax and communications services tax. As an Assistant State Attorney, I prosecuted criminal cases for the State in the Juvenile Division, Misdemeanor Division, and Felony - Sex Crimes Division.

23. What percentage of your appearance in courts in the last five years or last five years of practice (include the dates) was in:

	Court		Area of Practice
Federal Appellate	_____ 0 %	Civil	_____ 50 %
Federal Trial	_____ 1 %	Criminal	_____ .5 %
Federal Other	_____ 0 %	Family	_____ 40 %
State Appellate	_____ 0 %	Probate	_____ 5 %
State Trial	_____ 98 %	Other	_____ 4.5 %
State Administrative	_____ 1 %		
State Other	_____ %		
	_____ %		
TOTAL	_____ 100 %	TOTAL	_____ 100 %

24. In your lifetime, how many (number) of the cases you have tried to verdict or judgment were:

Jury?	_____ 6 _____	Non-jury?	_____ 108 _____
Arbitration?	_____ 2 _____	Administrative Bodies?	_____ 5 _____

25. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No

26. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain in full.

No

(Questions 27 through 30 are optional for sitting judges who have served 5 years or more.)

- 27a. For your last 6 cases, which were tried to verdict before a jury or arbitration panel or tried to judgment before a judge, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

06/08/2015 - Non-Jury

Unifirst Corporation vs. Colon Haire and 1560 JEG, Inc.

2013 33251 COCI - Judge Dawn P. Fields 386-257-6070

Attorney for the Plaintiff - John W. Gardner, Esquire - 813-651-0055

Attorney for the Defendant - Sebrina L. Slack, Esquire - 386-734-3451

05/27/2015 - Non-Jury

Kaiser Buick GMC Truck, Inc. vs. James Broome and Debra Broome

2013 22185 CONS - Judge Christopher Kelly - 386-822-5008

Attorney for the Plaintiff - Sebrina L. Slack, Esquire - 386-734-3451

Attorney for the Defendant - James C. Peterson, Esquire - 386-428-2464

08/19/2014 - 08/20/2014 - Non-Jury

Patricia Gibson vs. Comer Roofing Company, Inc.

2011 11764 CODL - Judge Robert A. Sanders, Jr. - 386-736-5947

Attorney for the Plaintiff - Heather Caeners, Esquire - 386-738-4708

Attorney for the Defendant - Sebrina L. Slack, Esquire - 386-734-3451

10/02/2013 - 10/04/2013 - Non-Jury

S.P. O.A. vs. Volusia County School Board

2013 - 000352E - Administrative Law Judge J. Peterson - 850-488-9675

Attorney for the Petitioner - Marla Rawnsley, Esquire - 386-882-1917

Douglas Rawnsley, Esquire - 386-212-6442

Attorney for the Respondent - Sebrina L. Slack, Esquire - 386-734-3451

08/29/2013 - Non-Jury

In re Marriage of Jessica L. Santiago and Daniel Santiago

2012 10606 FMDL - Judge Hubert Grimes (Retired)

Attorney for the Petitioner - Sebrina L. Slack, Esquire - 386-734-3451

Pro se Respondent - Daniel Santiago - 845-943-9115

07/11/2013 - 07/12/2013 & 07/20/2013 - Non-Jury

In re Marriage of Steven Katz and Sabrina Katz

2011 11262 FMDL - Judge Hubert Grimes (Retired)

Attorney for the Petitioner - Sebrina L. Slack, Esquire - 386-734-3451

David E. Disney, Esquire - 386-734-3451

Attorney for the Respondent - Rachel Gorenflo, Esquire - 407-324-0778

- 27b. For your last 6 cases, which were settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

12/10/2015

Cathy Sue Lee vs David Lee

2012 11970 FMDL - Judge Dawn Nicols

Supplemental Petition to Modify Alimony

Attorney for Former Wife - Lisa Starks, Esquire - 386-738-7003

Attorney for Former Husband - Sebrina L. Esquire - 386-734-3451

09/08/2015

Charles Reeder vs. DeLand Collision Center, Inc., et al

2013 22511 CONS - Judge Shirley Green

Civil Litigation - contract dispute

Attorney for the Plaintiff - Sebrina L. Slack, Esquire - 386-734-3451

Attorney for the Defendant - Krystal Yearwood, Esquire - 407-648-0213

07/20/2015

In re Marriage of Sonja DeMass and David DeMass

2015 11176 FMDL - Judge Dawn Nichols

Dissolution of Marriage

Attorney for the Petitioner - Sebrina L. Slack, Esquire - 386-734-3451

Attorney for the Respondent - Lisa D. Starks, Esquire - 386-738-7003

07/13/2015

In re Estate of Gay Smith - Adversarial Proceeding - Kim Benken, et al vs Keith Smith, et al

2014 - 12159 PRDL - Judge C. McFerrin Smith III

Probate Litigation - Will dispute

Attorney for Petitioners - Sebrina L. Slack, Esquire - 386-734-3451

Attorney for the Respondents - Michael Koller, Esquire - 386-677-6475

06/10/2015

Karen Ferris vs. Highland Park Fish Camp, Inc.

2014 - 12267 CIDL - Judge Raul A. Zambrano

Civil Litigation - Tort Slip and Fall

Attorney for Plaintiff - Michael L. Beckman, Esquire - 239-334-3933

Attorney for Defendant - Sebrina L. Slack, Esquire - 386-734-3451

04/29/2015

Edward Jerolmon vs. Cara Reeves

2014 - 31568 FMCI - Judge Kellie J. Miles

Attorney for the Petitioner - Sebrina L. Slack, Esquire - 386-734-3451

Attorney for the Respondent - Horace Smith, Jr., Esquire - 386-257-1834

- 27c. During the last five years, how frequently have you appeared at administrative hearings?
.25 average times per month
- 27d. During the last five years, how frequently have you appeared in Court?
8 average times per month
- 27e. During the last five years, if your practice was substantially personal injury, what percentage of your work was in representation of plaintiffs? 0% Defendants? 0%
28. If during any prior period you have appeared in court with greater frequency than during the last five years, indicate the period during which this was so and give for such prior periods a succinct statement of the part you played in the litigation, numbers of cases and whether jury or non-jury.

From October 2000 through December 2002, I appeared in court on practically a daily basis as a prosecutor with the Office of the State Attorney for the Seventh Judicial Circuit. As a prosecutor, I was responsible for representing the State of Florida in criminal prosecutions which included court appearances for arraignments, pre-trials, trials, sentencing, and other various hearings. During my first year as a prosecutor, I was assigned to the juvenile division where I was responsible for as many as 300 open felony and misdemeanor cases before Judge John Watson III. My next assignment was in the misdemeanor division in New Smyrna Beach where I was the only misdemeanor prosecutor assigned to handle the docket before Judge Mary Jane Henderson. My last assignment as a prosecutor was in the Felony Sex Crimes Unit in Daytona Beach before Judge Shawn Briese. As a prosecutor, I tried seventy (70) non-jury juvenile cases, four (4) jury misdemeanor cases, thirteen (13) non-jury misdemeanor cases, and two (2) felony jury cases.

29. For the cases you have tried to award in arbitration, during each of the past five years, indicate whether you were sole, associate or chief counsel. Give citations of any reported cases.

I have not tried an arbitration case to award in the last five (5) years.

30. List and describe the six most significant cases which you personally litigated giving case style, number and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant. Give the name of the court and judge, the date tried and names of other attorneys involved.

State of Florida vs. EC (Circuit Court -Juvenile Division - Judge John Watson III)

This case is personally significant to me not only because it was my first trial, but because it taught me one of the most important lessons a litigator can learn - the cardinal rule - prepare your case, but prepare your oponent's case better than he or she does. The ink was barely dry on my bar license when I was assigned a trial docket in the Juvenile Division with cases already set for trial. E.C., the juvenile defendant, was charged with Possession of a Controlled Substance. E.C. had several previous convictions for possession and was a suspected drug dealer. On December 11, 2000, I arrived at court prepared with a trial plan to prove the elements of the charged crime. I had my witnesses - the police and the FDLE anslyst. During my case in chief through direct examination, I proved the substances were in fact controlled substances over repeated objections by the public defender, Mitch Wrenn and successfully moved them into evidence. Through the testimony of the police, I proved the juvenile was the driver of the vehicle and the controlled substances were recovered from the center console right under the defendant's elbow. Unfortunately, I did not overcome the defense's argument of constructive possession which created sufficient reasonable doubt that the controlled substances could have equally belonged to the unknown passenger who fled the scene. NOT GUILTY. Though it is a simple lesson, it is one of the most valuable - to be a successful trial attorney, you must know the elements to prove your case and more importantly you must know the elements necessary to defeat any defenses that threaten your case.

State of Florida vs. Curtis Mangran (2001 - 31879 CFAES - Judge Shawn Brieese)

This case is likewise personally significant to me as I learned another invaluable lesson of a trial attorney - no matter how rock solid your case is when the law is applied to the facts, never underestimate the human element of the jury. This was one of my last cases as a prosecutor. I was second chair with Colleen Taylor, ASA, who was the more senior prosecutor in the Sex Crimes Unit. In the trial, I was responsible for the FDLE analysts and the similar fact witnesses. Curtis Mangran was a serial rapist who had previously served twenty (20) years for a rape conviction. Mr. Mangran had been charged with sexual assault in three cases. All of the cases had occurred in the same area of Daytona Beach on the beach side. Two of the victims were known prosititutes, but the third victim was an elderly woman who was checking turtle nests in the middle of the night. We decided to try the third victim's case first. The trial began on September 11, 2002 and was set for two days. The vicitim testified about the assault and her injuries. She positively identified the defendant. The FDLE analyst testified to the DNA evidence linking the defendant to the crime. The similar fact witnesses tetified to their assaults and postively identified the defendant. The defense attorney, Clyde Shoemake, Esquire, presented testimony from the defendant that the defendant and the victim were engaged in a consensual relationship despite the forty (40) year difference in their ages. We placed our victim back on the stand to rebut the consensual relationship. We instructed the jury and sent them out to deliberate. We were confident a guilty verdict would be rendered within the hour. After an eternity of deliberations, the jury returned a verdict of NOT GUILTY of sexual assault, but GUILTY of aggravated battery on an elderly person. One of the jurors told us that only one person on the jury had held out on

convicting the defendant of sexual assault because he did not believe that DNA was reliable or that FDLE was trustworthy. The juror said the hold out had convinced everyone else to compromise on the lesser included charge. Fortunately, the defendant was eligible to be sentenced as a prison release re-offender and was sentenced to forty (40) years on the conviction. During jury selection, we had been very thorough in voir diring the jurors about DNA evidence and FDLE because there had been recent negative press regarding FDLE and faking results for certifications. Consequently, I learned from this case no matter how thorough your voir dire or evidence at trial, one hold out juror with a personal agenda can sway the entire jury to his or her view.

Sherry Gove et al vs Candace James, et al (2006 32066 FMCI - Judge Patrick Kennedy)

This case is significant to me because it was the first time I was able to assist my clients in a way that directly benefited the children involved. Without going into the personal details of this family situation, Mrs. Gove's daughter, Candace James, had a drug dependency problem and five children by various fathers. Mr. Gove and Mrs. Gove were caring for two of the children after removing the children from a questionable home where Ms. James was residing. When Ms. James absconded from Volusia County to avoid a felony warrant from drug court, Ms. James attempted to have the fathers of the children come to Florida and bring the children to Ms. James while she evaded the felony warrant. Through a series of emergency hearings, injunctions and a trial on a petition for temporary custody by extended family, I was able to keep the children with their grandparents and establish a reasonable court order for visitation by the fathers of the children. I know as an attorney I was able to remove these children from a difficult situation and place them with family members who can give them a better chance at succeeding in school and life.

Virginia Tizzano vs. Judith Tsitso (2008 13451 CIDL - Judge John Doyle)

This case is significant to me as I was able to truly help my client, Mrs. Tizzano, who relied on me to help her overcome a very personal trauma. Mrs. Tizzano was an elderly disabled woman who relied on others for daily assistance. Mrs. Tizzano hired Judith Tsitso to assist her in her home as a caregiver. After gaining Mrs. Tizzano's trust, Ms. Tsitso exploited Mrs. Tizzano by convincing Mrs. Tizzano to loan her monies and to allow her to use credit cards. Ms. Tsitso never repaid any monies and abandoned Mrs. Tizzano when she discovered the exploitation and demanded repayment. After making a demand for the return of all monies taken from Mrs. Tizzano, I was able to recover a civil judgment against Ms. Tsitso for treble the amount of monies taken. While the civil judgment proved to be uncollectible, it was instrumental in dealing with Mrs. Tizzano's creditors and collection agencies who contacted her for several months after we obtained the final judgment. As an attorney, there is no greater reward than being truly appreciated by your client and knowing that you were able to lessen the stress and strain a legal problem had caused them.

In re William St. Aubin (2010 21834 FMNS); In re Madelyn Rosima Trembley (2010 21833 FMNS); In re Dorothy Ann Karuch (2010 20251 FMNS); and In re Yudis Lee Mekalovsky (2010 10149 FMDL)

Each of these cases were significant to me because of the assistance I was able to quickly and efficiently provide my clients in dealing with the "system." In each of these cases, my clients were in their seventies or older. As a result of the Patriot's Act and various other post 9-11 legislation, they were unable to obtain passports, drivers' licenses, or social security benefits because the name on their birth certificate did not exactly match the name on their other forms of identification or documentation. In some cases, what was seemingly a minor issue such as, a misspelling on the birth certificate or a middle name added after baptism, prevented my client from providing required documents related to identity. In other cases, the issues were more significant such as the parents failing to tell the child that his or her name had been "Americanized" or that a different name and father was provided on the birth certificate. In all of these cases, my clients were frustrated and at a loss of what to do as government offices and employees had no answers for them. In each case, I obtained information regarding their personal history, documentation relevant to their identities, prepared a name change petition, helped them through the background check process, and obtained them a name change judgment which was accepted by authorities as proof of their identities. These cases are significant to me because each one illustrates the important role I can play as an attorney in the lives of individuals who have no idea how to navigate the system themselves, especially when faced with a bizarre circumstance of being told they have been using the wrong name their entire lives.

Cale Thomas Hutcherson vs, Jaclyn Elizabeth Bowden (2010 11259 FMDL)

In this case, I was appointed by Judge Matthew Foxman to act as the guardian ad litem for the child who was the subject of a Supplemental Petition to Modify Time Sharing. Without going into the confidential details of the matter, this case was significant to me because through my efforts and experience I was able to prepare a thorough report and recommendation for the Court. As a result, a change was made that will be truly beneficial to the child, his family and his future.

31. Attach at least one example of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach writing for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

Tab 1 - Motion for Summary Judgment

Tab 2 - Opposition to Motion to Set Aside Default

PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE:

32a. Have you ever held judicial office or been a candidate for judicial office? If so, state the court(s) involved and the dates of service or dates of candidacy.

No

32b. List any prior quasi-judicial service:

<i>Dates</i>	<i>Name of Agency</i>	<i>Position Held</i>
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Not Applicable

Types of issues heard:

32c. Have you ever held or been a candidate for any other public office? If so, state the office, location and dates of service or candidacy.

No

32d. If you have had prior judicial or quasi-judicial experience,

(i) List the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance.

Not Applicable

(ii) Describe the approximate number and nature of the cases you have handled during your judicial or quasi-judicial tenure.

Not Applicable

(iii) List citations of any opinions which have been published.

Not Applicable

(iv) List citations or styles and describe the five most significant cases you have tried or heard. Identify the parties, describe the cases and tell why you believe them to be significant. Give dates tried and names of attorneys involved.

Not Applicable

(v) Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give date, describe complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

Not Applicable

(vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.

Not Applicable

(vii) If you are a quasi-judicial officer (ALJ, Magistrate, General Master), have you ever been disciplined or reprimanded by a sitting judge? If so, describe.

Not Applicable

BUSINESS INVOLVEMENT:

33a. If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

My husband and I own a tree farm in De Leon Springs, Florida, which we manage and operate as a sole proprietorship. We are equal partners in this business. We cultivate pine and natural hardwoods. My duties include handling the business books, maintaining the inventory of trees, maintaining the trees, and legal compliance. I do not intend to resign my position with this business, unless necessary after being appointed to the judiciary.

33b. Since being admitted to the Bar, have you ever been engaged in any occupation, business or profession other than the practice of law? If so, give details, including dates.

In addition to practicing law, I have engaged in the business of cultivating trees.

33c. State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved and the dates such compensation was paid and the amounts.

None.

POSSIBLE BIAS OR PREJUDICE:

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you as a general proposition believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

There are no types or classifications of cases for which I would find it difficult to preside over as a judge.

MISCELLANEOUS:

35a. Have you ever been convicted of a felony or a first degree misdemeanor?

Yes _____ No If "Yes" what charges? _____

Where convicted? _____ Date of Conviction: _____

35b. Have you pled nolo contendere or pled guilty to a crime which is a felony or a first degree misdemeanor?

Yes _____ No If "Yes" what charges? _____

Where convicted? _____ Date of Conviction: _____

35c. Have you ever had the adjudication of guilt withheld for a crime which is a felony or a first degree misdemeanor?

Yes _____ No If "Yes" what charges? _____

Where convicted? _____ Date of Conviction: _____

- 36a. Have you ever been sued by a client? If so, give particulars including name of client, date suit filed, court, case number and disposition.
- No
- 36b. Has any lawsuit to your knowledge been filed alleging malpractice as a result of action or inaction on your part?
- No
- 36c. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the amounts involved.
- No
- 37a. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?
- No
- 37b. Have you ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed? If so, give name of corporation, your relationship to it and date and caption of petition.
- No
38. Have you ever been a party to a lawsuit either as a plaintiff or as a defendant? If so, please supply the jurisdiction/county in which the lawsuit was filed, style, case number, nature of the lawsuit, whether you were Plaintiff or Defendant and its disposition.
- No
39. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, give the particulars.
- No
40. To your knowledge within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a formal complaint or formal accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? If so, please state the date(s) of such formal complaint or formal accusation(s), the specific formal complaint or formal accusation(s) made, and the background and resolution of such action(s). (Any complaint filed with JQC, refer to 32d(v).
- No
41. Are you currently the subject of an investigation which could result in civil, administrative or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation and the expected completion date of the investigation.
- No

42. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.
No
- 43a. Have you filed all past tax returns as required by federal, state, local and other government authorities?
Yes No If no, please explain. _____
- 43b. Have you ever paid a tax penalty?
Yes No If yes, please explain what and why. _____
- 43c. Has a tax lien ever been filed against you? If so, by whom, when, where and why?
No

HONORS AND PUBLICATIONS:

44. If you have published any books or articles, list them, giving citations and dates.
None
45. List any honors, prizes or awards you have received. Give dates.
None
46. List and describe any speeches or lectures you have given.
None
47. Do you have a Martindale-Hubbell rating? Yes If so, what is it? ___ No

PROFESSIONAL AND OTHER ACTIVITIES:

- 48a. List all bar associations and professional societies of which you are a member and give the titles and dates of any office which you may have held in such groups and committees to which you belonged.
- Volusia County Bar Association - President 2012-2013, Vice President 2011-2012, Treasurer 2010-2011, Secretary 2009-2010, Director 2007-2009
- Volusia Flager Association for Women Lawyers - Member
- Blount Dunn Inn of Court - Member

48b. List, in a fully identifiable fashion, all organizations, other than those identified in response to question No. 48(a), of which you have been a member since graduating from law school, including the titles and dates of any offices which you have held in each such organization.

Volusia County Human Services Advisory Board (2011-2013)

Florida Bar Seventh Judicial Circuit Grievance Committee (2015-Present)

48c. List your hobbies or other vocational interests.

Hunting, fishing, gardening, and reading

48d. Do you now or have you ever belonged to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.

No

48e. Describe any pro bono legal work you have done. Give dates.

I volunteer as a court appointed guardian ad litem for the family law division. I have served as the GAL in at least one (1) case per year for the last five (5) years. I completed my last assignment as a GAL for a case in which Judge Matthew Foxman appointed me in May 2015. As a GAL, I meet with the children, family members, teachers, counselors and others in order to prepare a recommendation to the Court.

SUPPLEMENTAL INFORMATION:

49a. Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?

Yes, I have attended continuing legal education programs in the following substantive areas: probate, trust accounting, family law, domestic violence injunctions, practice before DOAH, law firm management, and e-filing.

49b. Have you taught any courses on law or lectured at bar association conferences, law school forums, or continuing legal education programs? If so, in what substantive areas?

No

50. Describe any additional education or other experience you have which could assist you in holding judicial office.

During law school, I clerked for Judge Heneberg, Judge Clark and Judge Thomas of the General District Court for Arlington County, Virginia. As a clerk, I was involved in the judicial process by researching and briefing legal issues before the Court. Additionally, I was able to observe the judicial decision making process in the face of the substantial case load a judge must process each day at the trial court level. However, my greatest contribution as a clerk was the preparation of a formal request to the Judicial Budget Committee demonstrating the need for an additional judgeship for the General District Court, which contributed to the creation of a new judicial seat.

51. Explain the particular potential contribution you believe your selection would bring to this position.

Considering my broad range of knowledge and balanced experience in civil, criminal and administrative legal matters in both public and private practice, I am capable of contributing to the circuit court bench as a judge by using my experience to efficiently manage my docket while focusing on the people I am serving and insuring their case is justly handled. As an attorney, I believe it is my personal and professional responsibility to expeditiously and efficiently apply the law and my efforts to resolve my client's legal issues. Even though I may delight in exploring every nuance of a legal topic, I understand that my clients are less enthusiastic about the details of the legal system and only want a resolution to their legal problem which allows them to return to their life or business. As a circuit court judge, I will preside over cases using my broad legal experience and no nonsense approach to efficiently and effectively manage my docket. I will strive to serve my community by aspiring to provide each litigant with an effective forum in which to resolve their legal issues without undue delay so that they may resume their lives and business.

52. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name of the commission and the approximate date of submission.

I have previously submitted applications to this judicial nominating commission for two vacancies to the county court bench in 2011; for three vacancies on the circuit court bench in 2014; and for two vacancies on the circuit court bench in 2015.

53. Give any other information you feel would be helpful to the Commission in evaluating your application.

REFERENCES:

54. List the names, addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for judicial position and of whom inquiry may be made by the Commission.

- 1) Honorable Matthew M. Foxman - 386-736-5948
Volusia County Courthouse, 101 N. Alabama Avenue, DeLand, Florida 32724
- 2) Honorable Kathryn D. Weston - 386-257-6099
Courthouse Annex, 125 E. Orange Avenue, Daytona Beach, Florida 32118
- 3) Honorable Dennis Craig - 386-257-6071
Courthouse Annex, 125 E. Orange Avenue, Daytona Beach, Florida 32118
- 4) Honorable Dawn D. Nichols - 386-822-5744
Volusia County Courthouse, 101 N. Alabama Avenue, DeLand, Florida 32724
- 5) F.A. "Alex" Ford, Jr. Esquire, 386-734-3451
Landis Graham French, PA PO Box 48, DeLand, Florida 32724
- 6) Sam Masters, Esquire, 386-252-4717
444 Seabreeze Boulevard, Suite 1001, Daytona Beach, Florida 32118
- 7) Bethany Schonsheck, Esquire, 386-334-5555
444 Seabreeze Boulevard, Suite 910, Daytona Beach, Florida 32118
- 8) Rachel Gorenflo, Esquire, 407-324-0778
901 E. 2nd Avenue, Sanford, Florida 32771
- 9) Erin E. Wollet, Esquire, 386-428-3311
Wright & Casey, PA, 340 N. Causeway, New Smyrna Beach, Florida 32169

10) David E. Disney, Esquire, 386-801-3031
145 E. Rich Avenue, DeLand, Florida 32724

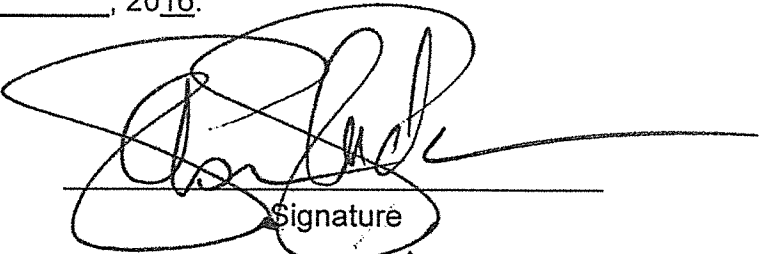
CERTIFICATE

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(l), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read, and understand the requirements of the Florida Code of Judicial Conduct.

Dated this 22 day of January, 2016.

SEBRINA L. SLACK
Printed Name


Signature

(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.

FINANCIAL HISTORY

1. State the amount of gross income you have earned, or losses you have incurred (before deducting expenses and taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current year to date	\$5,000.00		
List Last 3 years	\$60,000.00	\$54,000.00	\$54,000.00

2. State the amount of net income you have earned, or losses you have incurred (after deducting expenses but not taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current year to date	\$5,000.00		
List Last 3 years	\$60,000.00	\$54,000.00	\$54,000.00

3. State the gross amount of income or losses incurred (before deducting expenses or taxes) you have earned in the preceding three years on a year by year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

Current year to date	~\$0.00		
List Last 3 years	~\$13,000.00	~\$15,000.00	~\$17,600.00

4. State the amount of net income you have earned or losses incurred (after deducting expenses) from all sources other than the practice of law for the preceding three-year period on a year by year basis, and generally describe the sources of such income or losses.

Current year to date	~\$0.00		
List Last 3 years	~\$13,000.00	~\$15,000.00	~\$17,600.00

**FORM 6
FULL AND PUBLIC
DISCLOSURE OF
FINANCIAL INTEREST**

PART A – NET WORTH

Please enter the value of your net worth as of December 31 or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of January 22, 2016 was \$~305,000.00.

PART B - ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following, if not held for investment purposes; jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is \$ 25,000.00

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)

VALUE OF ASSET

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)	VALUE OF ASSET
2014 Ford Explorer	\$35,000.00
2005 Crestview Boat and Trailer	\$7,500.00
2004 Kubota Tractor and implements	\$15,000.00
2012 Kubota RTV	\$12,500.00
2002 Jayco Travel Trailer	\$7,000.00
Tree Farm Equipment (4 chainsaws, tiller, mowers, trimmers, edger, etc.)	\$6,500.00
75 acres of land with 65 acres of uncut timber and hardwood	\$337,500.00

PART C - LIABILITIES

LIABILITIES IN EXCESS OF \$1,000 (See instructions on page 4):

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
PNC Bank Auto Loan	\$26,000.00
Farm Credit Loan	\$145,000.00
PNC Credit Line	\$11,300.00
Direct Student Loan	\$26,000.00

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

PART D - INCOME

You may **EITHER** (1) file a complete copy of your latest federal income tax return, *including all W2's, schedules, and attachments*, **OR** (2) file a sworn statement identifying each separate source and amount of income which exceeds \$1,000 including secondary sources of income, by completing the remainder of Part D, below.

I elect to file a copy of my latest federal income tax return and all W2's, schedules, and attachments.
 (if you check this box and attach a copy of your latest tax return, you need not complete the remainder of Part D.)

PRIMARY SOURCE OF INCOME (See instructions on page 5):

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
Landis Graham French, PA	PO Box 48 DeLand, Florida 32721-0048	\$60,000.00 (annual)

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person—see instructions on page 6]

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSIENSS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

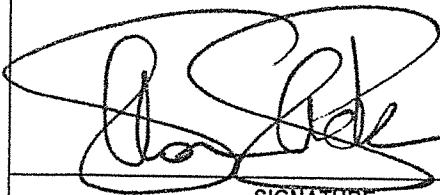
PART E – INTERESTS IN SPECIFIC BUSINESS [Instructions on page 7]

	BUSINESS ENTITY #1	BUSINESS ENTITY #2	BUSINESS ENTITY #3
NAME OF BUSINESS ENTITTY	Outback Tree Farm		
ADDRESS OF BUSINESS ENTITY	3125 Lafayette Landing Dr. DeLeon Springs, FL 32130		
PRINCIPAL BUSINESS ACTIVITY	Timber / hardwoods		
POSITION HELD WITH ENTITY	Sole Proprietorship		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	Yes		
NATURE OF MY OWNERSHIP INTEREST	50% owner		

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

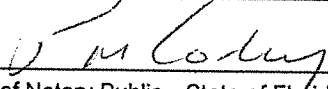


SIGNATURE

STATE OF FLORIDA

COUNTY OF Volusia

Sworn to (or affirmed) and subscribed before me this 22ND day of January, 2016 by Sebrina L. Slack.

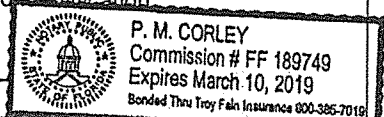


(Signature of Notary Public—State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification

Type of Identification Produced _____



INSTRUCTIONS FOR COMPLETING FORM 6:

PUBLIC RECORD: The disclosure form and everything attached to it is a public record. Your Social Security Number is not required and you should redact it from any documents you file. If you are an active or former officer or employee listed in Section 119.071(4)(d), F.S., whose home address is exempt from disclosure, the Commission is required to maintain the confidentiality of your home address if you submit a written request for confidentiality.

PART A – NET WORTH

Report your net worth as of December 31 or a more current date, and list that date. This should be the same date used to value your assets and liabilities. In order to determine your net worth, you will need to total the value of all your assets and subtract the amount of all of your liabilities. Simply subtracting the liabilities reported in Part C from the assets reported in Part B will not result in an accurate net worth figure in most cases.

To total the value of your assets, add:

- form;
- (1) The aggregate value of household goods and personal effects, as reported in Part B of this form;
 - (2) The value of all assets worth over \$1,000, as reported in Part B; and
 - (3) The total value of any assets worth less than \$1,000 that were not reported or included in the category of "household goods and personal effects."

To total the amount of your liabilities, add:

- (1) The total amount of each liability you reported in Part C of this form, except for any amounts listed in the "joint and several liabilities not reported above" portion; and,
- (2) The total amount of unreported liabilities (including those under \$1,000, credit card and retail installment accounts, and taxes owed).

PART B – ASSETS WORTH MORE THAN \$1,000

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

The value of your household goods and personal effects may be aggregated and reported as a lump sum, if their aggregate value exceeds \$1,000. The types of assets that can be reported in this manner are described on the form.

ASSETS INDIVIDUALLY VALUED AT MORE THAN \$1,000:

Provide a description of each asset you had on the reporting date chosen for your net worth (Part A), that was worth more than \$1,000 and that is not included as household goods and personal effects, and list its value. Assets include: interests in real property; tangible and intangible personal property, such as cash, stocks, bonds, certificates of deposit, interests in partnerships, beneficial interest in a trust, promissory notes owed to you, accounts received by you, bank accounts, assets held in IRAs, Deferred Retirement Option Accounts, and Florida Prepaid College Plan accounts. You are not required to disclose assets owned solely by your spouse.

How to Identify or Describe the Asset:

— Real property: Identify by providing the street address of the property. If the property has no street address, identify by describing the property's location in a manner sufficient to enable a member of the public to ascertain its location without resorting to any other source of information.

— Intangible property: Identify the type of property and the business entity or person to which or to whom it relates. Do not list simply "stocks and bonds" or "bank accounts." For example, list "Stock (Williams Construction Co.)," "Bonds (Southern Water and Gas)," "Bank accounts (First

National Bank)," "Smith family trust," Promissory note and mortgage (owed by John and Jane Doe)."

How to Value Assets:

- Value each asset by its fair market value on the date used in Part A for your net worth.
- Jointly held assets: If you hold real or personal property jointly with another person, your interest equals your legal percentage of ownership in the property. However, assets that are held as tenants by the entirety or jointly with right of survivorship must be reported at 100% of their value.
- Partnerships: You are deemed to own an interest in a partnership which corresponds to your interest in the equity of that partnership.
- Trusts: You are deemed to own an interest in a trust which corresponds to your percentage interest in the trust corpus.
- Real property may be valued at its market value for tax purposes, unless a more accurate appraisal of its fair market value is available.
- Marketable securities which are widely traded and whose prices are generally available should be valued based upon the closing price on the valuation date.
- Accounts, notes, and loans receivable: Value at fair market value, which generally is the amount you reasonably expect to collect.
- Closely-held businesses: Use any method of valuation which in your judgment most closely approximates fair market value, such as book value, reproduction value, liquidation value, capitalized earnings value, capitalized cash flow value, or value established by "buy-out" agreements. It is suggested that the method of valuation chosen be indicated in a footnote on the form.
- Life insurance: Use cash surrender value less loans against the policy, plus accumulated dividends.

PART C—LIABILITIES

LIABILITIES IN EXCESS OF \$1,000:

List the name and address of each creditor to whom you were indebted on the reporting date chosen for your net worth (Part A) in an amount that exceeded \$1,000 and list the amount of the liability. Liabilities include: accounts payable; notes payable; interest payable; debts or obligations to governmental entities other than taxes (except when the taxes have been reduced to a judgment); and judgments against you. You are not required to disclose liabilities owned *solely* by your spouse.

You do not have to list on the form any of the following: credit card and retail installment accounts, taxes owed unless the taxes have been reduced to a judgment), indebtedness on a life insurance policy owned to the company of issuance, or contingent liabilities. A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a partner (without personal liability) for partnership debts, or where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" on a note and have signed as being jointly liable or jointly and severally liable, then this is not a contingent liability.

How to Determine the Amount of a Liability:

- Generally, the amount of the liability is the face amount of the debt.
- If you are the only person obligated to satisfy a liability, 100% of the liability should be listed.

— If you are jointly and severally liable with another person or entity, which often is the case where more than one person is liable on a promissory note, you should report here only the portion of the liability that corresponds to your percentage of liability. *However*, if you are jointly and severally liable for a debt relating to property you own with one or more others as tenants by the entirety or jointly, with right of survivorship, report 100% of the total amount owed.

— If you are only jointly (not jointly and severally) liable with another person or entity, your share of the liability should be determined in the same way as you determined your share of jointly held assets.

Examples:

— You owe \$10,000 to a bank for student loans, \$5,000 for credit card debts, and \$60,000 with your spouse to a saving and loan for the mortgage on the home you own with your spouse. You must report the name and address of the bank (\$10,000 being the amount of that liability) and the name and address of the savings and loan (\$60,000 being the amount of this liability). The credit cards debts need not be reported.

— You and your 50% business partner have a \$100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and \$50,000 as the amount of the liability. If your liability for the loan is only as a partner, without personal liability, then the loan would be a contingent liability.

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

List in this part of the form the amount of each debt, for which you were jointly and severally liable, that is not reported in the "Liabilities in Excess of \$1,000" part of the form. Example: You and your 50% business partner have a \$100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and \$50,000 as the amount of the liability, as you reported the other 50% of the debt earlier.

PART D – INCOME

As noted on the form, you have the option of either filing a copy of your latest federal income tax return, including all schedules, W2's and attachments, with Form 6, or completing Part D of the form. If you do not attach your tax return, you must complete Part D.

PRIMARY SOURCES OF INCOME:

List the name of each source of income that provided you with more than \$1,000 of income during the year, the address of that source, and the amount of income received from that source. The income of your spouse need not be disclosed; however, if there is a joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should include all of that income.

"Income" means the same as "gross income" for federal income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples of income include: compensation for services, gross income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, distributive share of partnership gross income, and alimony, but not child support. Where income is derived from a business activity you should report that income to you, as calculated for income tax purposes, rather than the income to the business.

Examples:

— If you owned stock in and were employed by a corporation and received more than \$1,000 of income (salary, commissions, dividends, etc.) from the company, you should list the name of the company, its address, and the total amount of income received from it.

— If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$1,000, you should list the name of the firm, its address, and the amount of your distributive share.

— If you received dividend or interest income from investments in stocks and bonds, list only each individual company from which you received more than \$1,000. Do not aggregate income from all of these investments.

— If more than \$1,000 of income was gained from the sale of property, then you should list as a source of income the name of the purchaser, the purchaser's address, and the amount of gain from the sale. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed simply as "sale of (name of company) stock," for example.

— If more than \$1,000 of your income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and the amount of income from that institution.

SECONDARY SOURCE OF INCOME:

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported as a "Primary Source of Income." You will **not** have anything to report **unless**:

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) during the disclosure period, more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, limited partnership, LLC, proprietorship, joint venture, trust, firm, etc., doing business in Florida); and

(2) You received more than \$1,000 in gross income from that business entity during the period.

If your ownership and gross income exceeded the two thresholds listed above, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's more recently completed fiscal year), the source's address, the source's principal business activity, and the name of the business entity in which you owned an interest. You do not have to list the amount of income the business derived from that major source of income.

Examples:

— You are the sole proprietor of a dry cleaning business, from which you received more than \$1,000 in gross income last year. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of your business, the name of the uniform rental company, its address, and its principal business activity (uniform rentals).

— You are a 20% partner in a partnership that owns a shopping mall and your gross partnership income exceeded \$1,000. You should list the name of the partnership, the name of each tenant of the mall that provided more than 10% of the partnership's gross income, the tenant's address and principal business activity.

PART E – INTERESTS IN SPECIFIED BUSINESS

The types of businesses covered in this section include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies; utility companies; and entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

You are required to make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period, more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of business for which you are, or were at any time during the year an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list: the name of the business, its address and principal business activity, and the position held with the business (if any). Also, if you own(ed) more than a 5% interest in the business, as described above, you must indicate that fact and describe the nature of your interest.

JUDICIAL APPLICATION DATA RECORD

The judicial application shall include a separate page asking applicants to identify their race, ethnicity and gender. Completion of this page shall be optional, and the page shall include an explanation that the information is requested for data collection purposes in order to assess and promote diversity in the judiciary. The chair of the Commission shall forward all such completed pages, along with the names of the nominees to the JNC Coordinator in the Governor's Office (pursuant to JNC Uniform Rule of Procedure).

(Please Type or Print)

Date: 01/22/2016

JNC Submitting To: Seventh Judicial Circuit

Name (please print): Sebrina L. Slack

Current Occupation: Attorney

Telephone Number: 386-589-5872 Attorney No.: 392715

Gender (check one): Male Female

Male

Female

Ethnic Origin (check one): White, non Hispanic

Hispanic

Black

American Indian/Alaskan Native

Asian/Pacific Islander

County of Residence: Volusia

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

DISCLOSURE PURSUANT TO THE
FAIR CREDIT REPORTING ACT (FCRA)

The Florida Department of Law Enforcement (FDLE) may obtain one or more consumer reports, including but not limited to credit reports, about you, for employment purposes as defined by the Fair Credit Reporting Act, including for determinations related to initial employment, reassignment, promotion, or other employment-related actions.

CONSUMER'S AUTHORIZATION FOR FDLE
TO OBTAIN CONSUMER REPORT(S)

I have read and understand the above Disclosure. I authorize the Florida Department of Law Enforcement (FDLE) to obtain one or more consumer reports on me, for employment purposes, as described in the above Disclosure.

Printed Name of
Applicant:

Sebrina L. Slack

Signature of Applicant:

Date: 01/22/2016

TAB 1

IN THE CIRCUIT COURT FOR THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY FLORIDA

CHARLES F. EVANS and
DOROTHY A. EVANS,

CASE NUMBER: 2015 10247 CIDL
DIVISION: 01

Plaintiff,

vs.

GARY J. WELVAERT;
UNKNOWN TENANT IN POSSESSION;
CITY OF DELAND,

Defendants.

**PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT FOR
FORECLOSURE AND REQUEST FOR AWARD OF ATTORNEYS' FEES**

COMES NOW, the Plaintiffs, CHARLES F. EVANS, and DOROTHY A. EVANS, ("Plaintiffs"), by and through their undersigned counsel, and pursuant to Rule 1.510, Florida Rules of Civil Procedure, moves this Court for entry of summary judgment for foreclosure against Defendant, GARY J. WELVAERT. In support thereof, Plaintiffs state as follows:

1. Plaintiffs are entitled to the entry of a final summary judgment as the pleadings and affidavits on file in this cause demonstrate that there are no genuine issues as to any material facts and the Plaintiffs are entitled to entry of a final judgment as a matter of law.

Legal Standard

2. Summary judgment shall be rendered forthwith if the pleadings and summary judgment evidence on file show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. Rule 1.510(c), Florida Rules of Civil Procedure.

3. A court may grant summary judgment only if there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law. See, *Volusia County vs. Aberdeen at Ormond Beach LP*, 760 So. 2d 126, 130 (Fla. 2000) and *Brown vs. Smith*, 2 So. 3d 321, 323 (Fla. 5th DCA 2008).

4. Once the moving party has met its burden of demonstrating there is no issue of material fact and its entitlement to a judgment as a matter of law, summary judgment is appropriate. *Holl vs. Tolcott*, 191 So. 2d 40 (Fla. 1966).

5. Plaintiff relies on the following matters of law to be argued in support of its motion for summary judgment:

a. that the record interests of the owner of the subject property and all those claiming under the owner are inferior and subordinate to the interest of Plaintiffs. *Jordan vs. Sayre*, 24 Fla. 1, 3 So. 329 (Fla. 1888). The record owner of the property is the only indispensable party to a foreclosure action. *Davanzo vs. Resolute Insurance Company*, 346 So. 2d 1227 (Fla. 3rd DCA 1977);

b. that the Plaintiffs' purchase money mortgage takes priority over any other subsequent claims or liens attaching to the property through mortgagors, their successors, assigns, or tenants. *Banc Florida vs. Hayward*, 689 So. 2d 1052 (Fla. 1997) and *Schilling vs. Bank of Sulphur Springs*, 147 So. 218 (Fla. 1933). Priority of a purchase money mortgage extends to all funds used to purchase the land and existing improvements. *Carteret Savings Bank vs. CitiBank Mortgage Company*, 632 So. 2d 599 (Fla. 1994);

c. that the entire indebtedness secured by the mortgage held by Plaintiffs is due and collectible as a matter of law. *Van Huss vs. Prudential Company of America*, 123 Fla. 20, 165 So 896 (Fla. 1936);

d. that the acceleration clause in Plaintiffs' mortgage is valid under Florida law. *David*

vs. Sun Federal Savings and Loan Association, 461 So. 2d 93 (Fla. 1984). Acceleration without notice is permitted, if provided for by the note or mortgage. *Millet v. Perez*, 418 So. 2d 1067 (Fla. 3rd DCA 1982). Once acceleration has occurred, the mortgagee is generally under no obligation to accept tender of past due payments. *Id.*

e. that under the provisions of the mortgage instrument securing the promissory note, Plaintiffs are entitled to collect, as a matter of law, costs and reasonable attorneys' fees incident to the collection of the indebtedness as well as any sums advanced by the plaintiff to protect or prevent the impairment of its security interest. *American Securities Co. vs. Goldberry*, 69 Fla. 104, 67 So. 862 (1915) and *Raskin vs. Otten*, 273 So 2d 433 (Fla. 3rd DCA 1973);

f. that Plaintiffs' mortgage is a valid lien against the property under Section 702.09, Florida Statutes;

g. that Plaintiffs are the holder in due course as defined by Section 673.3021, Florida Statutes, and takes the negotiable instrument (the Note) free from all personal defenses of the maker. *American Bank of the South vs. Rothenburg*, 598 So 2d 289 (Fla. 5th DCA 1992); and

i. that the Defendant has failed to raise any issue of fact or law that would prevent entry of a summary judgment in favor of Plaintiffs in this cause of action.

Undisputed Material Facts

6. Plaintiffs, CHARLES F. EVANS, and DOROTHY A. EVANS, are the owners and holders of the Note and Mortgage at issue in this matter.

7. Defendant, GARY J. WELVAERT, owns and is in possession of 1350 Saratoga Street in DeLand, Volusia County, Florida pursuant to a Warranty Deed recorded in the Public Records of Volusia County, Florida in Book 6098 at Pages 1993.

8. On June 7, 2007, Defendant, GARY J. WELVAERT, made, executed, and delivered

a Promissory Note and Mortgage securing payment of the Promissory Note to CHARLES F. EVANS and DOROTHY A. EVANS. Said Mortgage and Note are a first money purchase mortgage and note. The Mortgage was recorded on July 23, 2007, in the Public Records for Volusia County Florida in Book 6098, beginning at Page 1995. A true and correct copy of the Promissory Note and Mortgage are attached hereto as Exhibits A and B respectively.

9. By the Mortgage, Defendant mortgaged the real property described therein which was then owned by the Defendant, GARY J. WELVAERT.

10. Defendant, GARY WELVAERT, has defaulted under the Note and the Mortgage by failing to make the payment due on August 13, 2014, and all subsequent payments thereafter.

11. Defendant, GARY J. WELVAERT, has defaulted under the Promissory Note and Mortgage by failing to pay the property taxes due for 2014 in the amount of \$1,879.86, 2013 in the amount of \$2,197.17, and 2012 in the amount of \$2,205.81. To preserve our lien pursuant to the Mortgage, CHARLES F. EVANS and DOROTHY A. EVANS, have paid the outstanding property taxes in the amount of \$6,282.84.

12. Plaintiffs, CHARLES F. EVANS and DOROTHY A. EVANS, declared the full amount payable under the Note and Mortgage to be due.

13. Defendant, GARY J. WELVAERT, has raised no legally recognizable affirmative defenses to the Complaint of the Plaintiff. On April 14, 2014, the Defendant filed what amounted to a general denial and a dispute as to the amount of principal owed.

14. All conditions precedent to the acceleration of this Mortgage and Note and to foreclose thereon have been fulfilled or occurred.

15. Defendant, GARY J. WELVAERT, owes the Plaintiffs the principal sum of \$104,439.20, on the Note and Mortgage, plus interest from August 14, 2014, and all costs of

collection, including, title search expenses for ascertaining the necessary parties to this action and reasonable attorneys' fees.

16. Plaintiffs have retained the undersigned attorneys to prosecute the above styled matter are obligated to pay said attorneys a reasonable fee for their services. Plaintiffs are entitled to recover attorneys' fees pursuant to the terms of the Note and Mortgage.

Legal Entitlement to Summary Judgment

17. No issue of material fact exists. Defendant, GARY J. WELVAERT, has defaulted under the Mortgage and Promissory Note and monies are due and owing to the Plaintiffs. Plaintiffs have a valid lien against the property owned by the Defendant, GARY J. WELVAERT. Plaintiffs' lien is superior to any and all interests asserted by the Defendant. Plaintiffs are entitled to foreclose their lien on the property.

18. All necessary parties have been joined and validly served as evidenced by the returns of service as to each Defendant filed in the above styled case.

19. The Answer filed by the Defendant, GARY J. WELVAERT, on April 14, 2014, is merely a general denial and raises no legally recognizable affirmative defenses.

20. In support of this motion, Plaintiffs have contemporaneously filed an affidavit of indebtedness. The affidavit sets forth with particularity, among other things, the standing of the Plaintiffs and the monies due and owing by the Defendant to the Plaintiffs.

21. In support of this motion, Plaintiffs have contemporaneously filed an affidavit of costs incurred in this action. The affidavit sets forth with particularity the taxable costs incurred by the Plaintiffs.

22. In support of its claim for attorneys' fees, Plaintiffs have contemporaneously filed an affidavit of attorneys' fees itemizing the time and fees incurred by the Plaintiffs. In support of the

attorneys' fee affidavit, Plaintiffs have contemporaneously filed an affidavit of reasonableness of attorneys' fees incurred in prosecuting this claim.

23. Accordingly, Plaintiffs request summary judgment for foreclosure in the total amount of \$120,088.21, for the following:

a.	Principal on the Note	\$104,439.20
b.	Accrued Interest from 08/13/2014 - 05/1/2015	\$6,111.77
c.	Taxes advanced by Plaintiffs	\$6,282.74
e.	Taxable Costs	\$1,284.00
f.	Attorneys' fees	\$1,970.50

WHEREFORE, Plaintiffs, CHARLES F. EVANS and DOROTHY A. EVANS, respectfully request the Court enter a final judgment for foreclosure against Defendant, GARY J. WELVAERT, for all other relief requested including, ascertaining the amount of money including monies owed, interest, expenses, costs, and attorneys' fees that Plaintiffs are entitled to recover in this action; adjudging that the Plaintiffs have a lien on the real estate of Defendant, as described herein, for the sum of money found to be due and that the lien is superior to the rights, title and interests of the Defendant; ordering that the lien be foreclosed in accordance with Florida law and the established rules and practices of the Court, including that on default of the payment to Plaintiffs of the amounts so found to be due from Defendant, the real estate be sold by the Clerk of Court to satisfy Plaintiffs' lien; that a deficiency judgment be entered against the Defendant for the sum remaining unpaid; and for such other relief this Court deems just and proper.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the above and foregoing document

was electronically filed via the Florida E-Portal Filing System and was served via US mail on: Gary J. Welvaert, at 1350 Saratoga Street, DeLand, Florida 32724 and 2203 Marsh Road, DeLand, Florida 32724 on this 29th day of May, 2015.

LANDIS GRAHAM FRENCH, PA

A handwritten signature in black ink, appearing to read "Sebrina L. Slack", written over a horizontal line.

SEBRINA L. SLACK, ESQUIRE
Florida Bar Number 0392715
145 East Rich Avenue
P.O. Box 48
DeLand, Florida 32721-0048
Telephone 386-734-3451
Facsimile 386-736-1350
ATTORNEYS FOR PLAINTIFF

TAB 2

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY, FLORIDA

US BANK ASSOCIATION,

Plaintiff,

Vs.

OLGA C. GARCIA, et al.

Defendants.

CASE NUMBER – 2014 12043 CIDL
DIVISION - 02

_____ /

**OPPOSITION BY INTERVENOR, D. R. MOORE LAND TRUST #86,
TO MOTION TO SET ASIDE DEFAULT AND FINAL JUDGMENT**

COMES NOW, the Intervenor, D.R. Moore Land Trust #86, by and through its undersigned attorneys, as intervenors, and opposes the Motion to Set Aside the Default and Final Judgment by the Defendant, Olga J. Garcia, and Defendant, Olga C. Garcia. In support thereof, the Intervenor states:

1. The claims set forth in the Motion to Set Aside Clerk's Defaults, Final Judgment, and Judicial Sale and the Affidavit of Olga J. Garcia in support of said Motion are unsupported by any material facts and law. In fact, the Motion and Affidavit contain false statements and were likely filed solely for the purposes of deceiving the Court and delaying these proceedings.

2. The Intervenor has retained the undersigned attorneys to represent their interests in the above styled action and are obligated to pay said attorneys a reasonable fee for their representation.

Defendants' Motion to Set Aside Default is Wholly Without Merit

3. As a matter of law, the Defendants' Motion is without merit because the Defendants have made an appearance in the case seeking affirmative relief from the Court and thereby waiving any defenses related to personal jurisdiction or defective service.

4. Rule 1.140(b), Florida Rules of Civil Procedure provides, in pertinent part, every defense in law or fact to a claim for relief in a pleading shall be asserted in the responsive pleading, including the defenses of jurisdiction over the person and defects in service of process. A motion making any of these defenses shall be made before pleading if a further pleading is permitted. Any ground not stated shall be deemed to be waived, except for the defense of subject matter jurisdiction.

5. Jurisdiction over defendants is ordinarily acquired by the service of process on them or by their voluntary appearance and submission to the court. *McKelvey vs. McKelvey*, 323 So. 2d. 651 (Fla. 3rd DCA 1976).

6. The present method of raising the question of jurisdiction over the parties is by a responsive pleading or motion filed pursuant to Rule 1.140(b), Florida Rules of Civil Procedure. However, where no responsive pleading or motion has been filed, the court must determine whether the defendants by their actions before the court have obtained some relief or material benefit sufficient to constitute a submission by them to the court's jurisdiction. *First Wisconsin National Bank of Milwaukee vs. Donian*, 343 So. 2d 943 (Fla. 2nd DCA 1977) (Internal Citations omitted).

7. Where the defendants, who had not been served with process, requested a stay of the foreclosure proceedings to pursue a modification of their mortgage, the court found that the defendants had participated in the litigation by moving the court to grant their requests for relief

which were materially beneficial to the defendants and thereby had submitted themselves to the court's jurisdiction of the court. *First Wisconsin National Bank of Milwaukee vs. Donian*, 343 So. 2d 943 (Fla. 2nd DCA 1977).

8. In the instant case, the Defendants, Olga J. Garcia, and Olga C. Garcia, have previously appeared in the above styled case on three (3) occasions wherein they sought affirmative relief of the Court by requesting delays in the foreclosure proceedings for their benefit. Therefore, the Defendants have submitted themselves to the jurisdiction of the Court and waived any defenses as to personal jurisdiction or defects in service of process.

9. Specifically, on May 5, 2015, the Defendants filed a Motion to Cancel Sale and requested a continuance. This Motion did not include any challenges to jurisdiction or claim any defects in service of process. The Defendants' Motion was granted and the foreclosure sale was cancelled and reset for July 7, 2015.

10. On July 6, 2015, the Defendants filed a Second Motion to Cancel Sale. The Second Motion did not include any challenges to jurisdiction or claim any defects in service of process. The Defendants' Second Motion was granted and the foreclosure sale was cancelled and reset for August 11, 2015.

11. On August 7, 2015, the Defendants filed a Third Motion to Cancel Sale. The Third Motion did not challenge jurisdiction or claim any defects in service of process. On August 11, 2015, the Defendants filed a Motion to Postpone the Sale. The Fourth Motion did not challenge jurisdiction or claim any defects in service of process. The Court denied the Third Motion and Fourth Motion, which allowed the foreclosure sale to proceed on August 11, 2015.

12. Since the Defendants did not raise any defenses related to jurisdiction over their persons or defects in service of process and sought affirmative relief from the Court in the form of

continuances which were granted, the Defendants have waived any defenses related to personal jurisdiction or defective service of process and are now barred from untimely raising said defenses in what would be their fifth motion for relief to the Court.

Defendants' Motion to Set Aside Default is Wholly without Merit

13. As a matter of fact, the Defendants' Motion is without merit because the Defendants have filed an affidavit which is contains false statements since the public records of Florida indicate that both Olga J. Garcia and Olga C. Garcia have been at all times relevant and continue to be residents of 2692 Sedgefield Avenue, Deltona, Volusia County, Florida. Accordingly, the Court should strike the Affidavit of Olga J. Garcia and dismiss the claim of fraud on the Court by the Plaintiff as without factual support or merit.

14. In Paragraph 6 of her Affidavit, Olga J. Garcia claims to have moved with her mother, Defendant, Olga C. Garcia, in the "summer of 2011" to 1431 Briar Creek Road, Apartment M, Charlotte, North Carolina. However, the available public records completely contradicts these claims.

15. In Paragraph 15 of her Affidavit, Olga J. Garcia claims to have not only not accepted service in the above styled action, but also to have not accepted service in the prior 2010 foreclosure case. Consequently, it is interesting to note that Olga J. Garcia is the person identified to have received service in the above styled action; in the 2010 10660 CIDL foreclosure action; in the 2007 10172 CIDL foreclosure action; in the 2006 10113 CIDL foreclosure action; and in the 2003 11985 CIDL foreclosure action. A true and correct copies of the Returns of Service for each foreclosure case is attached hereto as Composite Exhibit A. Thus, it is well established that Olga J. Garcia is the family member who resides at the residence and accepts service of process for the prior foreclosure actions.

16. In the instant case, Olga J. Garcia claims to have resided in North Carolina since the “summer of 2011” and appears to represent to have not left North Carolina until May 1, 2015, when her mother and she through sheer coincidence discovered the residence was on the verge of being lost to a foreclosure sale.

17. However, the public records completely contradict, the assertions by Olga J. Garcia that she resided in North Carolina, including, the following:

- a. On August 21, 2015, “Olga Jacqueline Garcia” presented a Florida Drivers’ License as proof of identification to the Public Notary who notarized her Affidavit filed with this Court;
- b. March 21, 2015, the Volusia County Sheriff’s Office issued two traffic citations to “Olga Jacqueline Garcia” indicating on each ticket that her Florida Driver’s provided her legal residence of record as “2692 Sedgefield Avenue, Deltona, Florida.” A true and correct copy of said traffic citation are attached as Composite Exhibit B.
- c. On April 26, 2012, the State of Florida issued a drivers’ license to “Olga Jacqueline Garcia” indicating that her legally declared residence was “2692 Sedgefield Avenue, Deltona, Florida.” We could find no record that the State of North Carolina has ever issued a drivers’ license to “Olga Jacqueline Garcia.”
- d. On December 12, 2014, the Volusia County Sheriff’s Office issued a traffic citation to “Olga Jacqueline Garcia” indicating on the ticket that her Florida Driver’s provided her residence of record as “2692 Sedgefield Avenue, Deltona, Florida.” A true and correct copy of said traffic citation are attached as Composite Exhibit C.
- e. On August 5, 2013, the Volusia County Sheriffs’ Office issued two traffic citations

to “Olga Jacqueline Garcia” indicating on each ticket that her Florida Driver’s provided her residence of record as “2692 Sedgefield Avenue, Deltona, Florida.” Since one of these citations was a criminal charge, Olga J. Garcia was required to make court appearances in Volusia County, Florida. On September 10, 2013, Olga J. Garcia wrote a letter to Judge Peter A.D. McGlashan requesting a continuance because she was caring for her grandmother. On October 16, 2013, Olga J. Garcia requested another continuance because she had already missed two days of work and she is the only person in her household working. In both letters, Olga J. Garcia represented to the Court that her address was “2692 Sedgefield Avenue, Deltona, Florida,” and made no mention of her residing in North Carolina or the inconvenience of appearing from that state. A true and correct copy of said traffic citation are attached as Composite Exhibit D.

- f. Florida vehicle registrations indicate that the 2009 Hyundai Accent owned by “Olga J. Garcia” is legally registered at “2692 Sedgefield Avenue Deltona, Florida” with a Florida tag which will expire on December 6, 2015.
- g. “Olga J. Garcia” is registered to vote as a citizen of Volusia County Florida with an address of “2692 Sedgefield Avenue, Deltona, Florida.”

18. Additionally, the public records completely contradict, the assertions by Olga J. Garcia, that her mother, Olga C. Garcia, resided in North Carolina, including, the following:

- a. All attachments to the Motions filed to postpone the foreclosure sales indicate that the mailing address for Olga C. Garcia was “PO Box 391507, Deltona, Florida” not an address in North Carolina.
- b. On each of her motions with the Court, Defendant, Olga C. Garcia, indicates that

her address of record is "2692 Sedgefield Avenue, Deltona, Florida."

- c. The State of Florida has issued a drivers' license to "Olga Celenia Garcia" on May 3, 2012 which indicates her legally declared residence to be "2692 Sedgefield Avenue, Deltona, Florida."
- d. Florida vehicle registrations indicate that the Chevrolet Astro Van and Toyota Scion owned by "Olga C. Garcia" are legally registered at "2692 Sedgefield Avenue Deltona, Florida" with a Florida tags which will expire on May 6, 2016.
- e. "Olga C. Garcia" is registered to vote as a citizen of Volusia County Florida with an address of "2692 Sedgefield Avenue, Deltona, Florida."

19. Thus, a preliminary search of public records indicates that the Affidavit of Olga J. Garcia is not truthful and is replete with false statements regarding the legal residence of the Defendants from the Summer of 2011 to the present.

20. It is the position of the Intervenor that the Affidavit of Olga J. Garcia is more likely than not false and constitutes a fraud upon this Court. Accordingly, the Intervenor requests that the Affidavit be stricken or in the alternative, that additional discovery be allowed to obtain further proof in contradiction to the Affidavit.

Motion to Set Aside the Final Judgment for Failure to Re-establish the Note is without Merit

21. In their Motion, the Defendants allege that the Plaintiff failed to re-establish the lost note in the Final Judgment. However, this is not a correct statement, as the Note was re-established by the Final Judgment as supported in the Affidavit in Support of the Plaintiff's Motion for Summary Judgment.

22. In Count II of its Complaint, the Plaintiff requested that the Note be re-established because it had been lost. The Affidavit filed by the Plaintiff in support of its Motion for Summary

Judgment provided a sufficient factual basis regarding the loss of the original note upon which the Court could enter a Final Judgment re-establishing the Note. Additionally, the Affidavit supported the legal requirement that the Plaintiff indemnify the Defendants due to the loss of the Note.

23. In the Final Judgment, Paragraph 9 provides “the Court finds that the Plaintiff has re-established the terms of the lost note and its right to enforce the instrument as required by Section 673.3091, Florida Statutes. Plaintiff shall hold the defendant maker of the note harmless and shall indemnify them from (sic) any loss they may incur by reason of a claim by any other person to enforce the lost note.”

24. Accordingly, the Final Judgment, on its face, both re-establishes the Note and indemnifies the Defendants against any other persons attempting to enforce the Note. Thus, the Defendants have no basis, legal or factual, upon which to set aside the Final Judgment for failing to re-establish the Note.

25. If the Court does find merit that the indemnification provision by the Plaintiff in the Final Judgment lacks specificity sufficient to adequately protect the Defendants, this can be remedied by an amended final judgment including, the actual nature of the indemnification protecting the Defendants, without setting aside the Final Judgment or rescinding the Certificate of Sale to the Intervenor. Since indemnification is a post-judgment protection of the Defendants, it would be judicially inefficient and prejudicial to the Intervenor to set aside the Final Judgment and rescind the Certificate of Sale for a matter that does not go to the merits of the foreclosure action or the parts of the Final Judgment related to the disposition of the real property.

Motion to Set Aside the Final Judgment for Statute of Limitations is Without Merit

26. Albeit indirectly, the Defendants in their Motion and Affidavit suggest that the Plaintiff’s action and final judgment are barred by the applicable statute of limitations because five

(5) years has elapsed from the claimed default of July 1, 2009. However, the statute of limitations had not expired since the last installment due under the Note was March 1, 2022. Therefore, the applicable statute of limitations has not expired and the Final Judgment is valid.

27. Florida courts have recognized that there is unique relationship between the mortgage obligation and the continuing obligations of the parties in that relationship. *Singleton vs. Greymar Associates*, 882 So 2d 1004 (Fla. 2004). A subsequent, separate default creates a new and independent right to accelerate payment in a second foreclosure action even where the lender triggered the acceleration of the debt in the prior, unsuccessful action that had been dismissed with prejudice. *Id.*

28. Not even dismissal with prejudice of a foreclosure action precludes a mortgagee from instituting a new foreclosure action based on a different act or a new date of default which was not alleged in the dismissed action. See, *U.S. National Bank vs Bartram*, 140 So. 3d 1007 (Fla. 5th DCA 2014) and *PNC Bank NA vs. Neal*, 147 So. 3d 32 (Fla. 1st DCA 2013).

29. In the instant case, the final payment due under the Note and Mortgage is March 1, 2022. The Plaintiff has brought its action for defaults which occurred prior to the expiration of the applicable five (5) year statute of limitations. Therefore, the Final Judgment is valid and enforceable.

WHEREFORE, the Intervenor, D.R. Moore Land Trust #86, requests the Court deny the Defendants' Motion as wholly without merit; and all other relief deemed just and appropriate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY I electronically filed the foregoing document by using the Florida E-Portal Filing System which will send a notice of electronic filing to the following:

Jillian R. Phelps, Esquire, 9204 King Palm Drive, Tampa, Florida 33619 at AttorneyNotice@Consuegralaw.com;

Peter R. McGrath, Esquire, 801 N. Magnolia Avenue, Suite 317, Orlando, Florida 32803 at mcgrathlaw@cfl.rr.com and mcgrathlaw@aol.com ;

and by US Mail on

Yely C. Garcia, 2692 Sedgefield Avenue, Deltona, Florida 32725 and 1431 Briar Creek Road, Apartment M, Charlotte, North Carolina 28205.

on this 21st day of September 2015.

LANDIS GRAHAM FRENCH PA

SEBRINA L. SLACK, ESQUIRE

Florida Bar Number 0392715

145 E. Rich Avenue, Suite C

Deland, Florida 32724

Telephone: 386-734-3451

Facsimile - 386 - 736 - 1350

Email - sslack@landispa.com

Attorneys for Intervenor

NOTICE OF DESIGNATION OF EMAIL ADDRESSES
PURSUANT TO RULE 2.516, F.R. JUD. ADMIN

Pursuant to Rule 2.516, Florida Rules of Judicial Administration, the above signed attorney of record hereby gives notice that the following email addresses are designated for service by electronic mail in above styled case.

Primary E-Mail - sslack@landispa.com

Secondary E-Mail - pcorley@landispa.com

AFFIDAVIT OF SERVICE

State of Florida

County of Volusia

Circuit Court

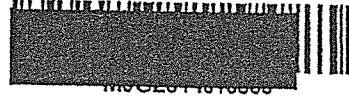
Case Number: 2014 12043 CIDL

Plaintiff:
U.S. BANK NATIONAL ASSOCIATION

vs.

Defendant:
OLGA C. GARCIA, ET AL

For:
LAW OFFICES OF DANIEL C. CONSUEGRA
9204 KING PALM DR
TAMPA, FL 33619



Received by DANIELLE DRIGGERS on the 17th day of October, 2014 at 9:05 am to be served on OLGA J GARCIA, 2692 SEDGEFIELD AVE, DELTONA, FL 32725.

I, DANIELLE DRIGGERS, being duly sworn, depose and say that on the 18th day of October, 2014 at 11:10 am, I: INDIVIDUALLY/PERSONALLY served by delivering a true copy of the Summons, Complaint, Lis Pendens, Verification with the date, my initials and hour of service endorsed thereon by me, to: OLGA J GARCIA at the address of: 2692 SEDGEFIELD AVE, DELTONA, FL 32725, and informed said person of the contents therein, in compliance with state statutes.

Military Status: Based upon inquiry of party served, defendant is not in the military service of the United States.

Marital Status: Based upon inquiry of party served, Defendant is not married.

Additional Information pertaining to this Service:
MOBILE HOME?NO.

OLGA J GARCIA SERVED INDIVIDUALLY AS NAMED DEFENDANT, OLGA C GARCIA SUBSTITUTE SERVED TO DAUGHTER/OLGA J GARCIA, YELY C GARCIA SUBSTITUTE SERVED TO SISTER/OLGA J GARCIA; WAS ADVISED THERE ARE NO OTHER OCCUPANTS OVER THE AGE OF 18 RESIDING WITHIN.

Description of Person Served: Age: 35, Sex: F, Race/Skin Color: HISPANIC, Height: 5'6", Weight: 170, Hair: BLACK, Glasses: N

I am over the age of 18 and have no interest in the above action and am in good standing in the judicial circuit in which the service of process is being performed.

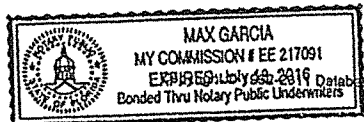
State of Florida

County of Volusia
Subscribed and sworn to before me on the 20th day of October, 2014 by the affiant who is personally known to me.

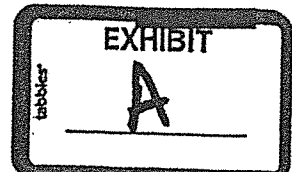
DANIELLE DRIGGERS
Process Server

MAX J. GARCIA, INC.
505 E NEW YORK AVE
SUITE 1
Deland, FL 32724
(386) 624-6943
Our Job Serial Number: MJG-
Ref: 179181

Notary public
Print Name Max Garcia



Database Services, Inc. - Process Server's Toolbox V6.5n



IN THE CIRCUIT/COUNTY COURT IN AND FOR VOLUSIA COUNTY, FLORIDA

Judge : Robert K. Rouse, Jr. - Div. 02
Case No : 2014 12043 CIDL

U S BANK NATIONAL ASSOCIATION
Plaintiff(s),

-vs-

OLGA C GARCIA, ET AL
Defendant(s).

SUMMONS

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE:

YOU ARE HEREBY COMMANDED to serve this summons and a copy of the complaint or petition in the above styled cause upon the defendant(s):

OLGA J GARCIA
2692 SEDGEFIELD AVE
DELTONA, FL 32725

*5/6 lbs
100 lbs
D. J. ...
3545
His female*

*10/18/14
G. J. ...*

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint with the Clerk of this Court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken, without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the court, you must also mail or take a copy of your written response to the "Plaintiff/Plaintiff's attorney" named below:

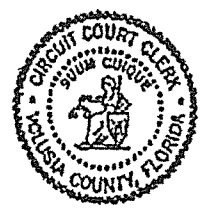
CHRISTIAN GREMINGER
9204 KING PALM DR
TAMPA, FL 33619

Date _____ Time _____
Servers Initial _____
(court-appointed process server)

Recipient Signature _____
MA- Y/N _____

DIANE M. MATOUSEK
CLERK OF CIRCUIT COURT

Brenda J Ramsey
By : Brenda J Ramsey, Deputy Clerk



DATED : October 13, 2014

Fwd to proc serv (MAX) for SOP, cc plttfs
atty by proc serv via p/up box

(See reverse side for Spanish and French portion.)



REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Ave., Ste. 300, Daytona Beach, FL 32114, (386) 257-6096, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the appearance is less than 7 days; if you are hearing or voice impaired, call 711.

THESE ARE NOT COURT INFORMATION NUMBERS



SOLICITUD DE ADAPTACIONES PARA PERSONAS CON DISCAPACIDADES

Si usted es una persona con discapacidad que necesita una adaptación para poder participar en este procedimiento, usted tiene el derecho a que se le proporcione cierta asistencia, sin incurrir en gastos. Comuníquese con la Oficina de Administración Judicial (Court Administration), 125 E. Orange Ave., Ste. 300, Daytona Beach, FL 32114, (386) 257-6096, con no menos de 7 días de antelación de su cita de comparecencia ante el juez, o de inmediato al recibir esta notificación si la cita de comparecencia está dentro de un plazo menos de 7 días; si usted tiene una discapacidad del habla o del oído, llame al 711.

ESTOS NUMEROS TELEFONICOS NO SON PARA OBTENER INFORMACION JUDICIAL

AFFIDAVIT OF SERVICE

State of Florida

County of Volusia

Circuit Court

Case Number: 2010 10660 CIDL



Plaintiff:
U.S. BANK, NATIONAL ASSOCIATION

vs.
Defendant:
JOSE A. GARCIA, ET AL

For:
LAW OFFICES OF DANIEL C. CONSUEGRA
9204 KING PALM DR
TAMPA, FL 33619

Received by PROVEST on the 12th day of February, 2010 at 11:28 am to be served on Olga J Garcia, 2692 Sedgefield Avenue, Deltona, FL 32725.

I, DANIELLE DRIGGERS, being duly sworn, depose and say that on the 19th day of February, 2010 at 1:26 pm, I: INDIVIDUALLY/PERSONALLY served by delivering a true copy of the Summons, Complaint and Notice of Lis Pendens with the date and hour of service endorsed thereon by me, to: Olga J Garcia at the address of: 2692 Sedgefield Avenue, Deltona, FL 32725, and informed said person of the contents therein, in compliance with state statutes.

Military Status: Based upon inquiry of party served, defendant is not in the military service of the United States.

Marital Status: Based upon inquiry of party served, Defendant is not married.

Additional Information pertaining to this Service:
MOBILE HOME? NO.

I am over the age of 18 and have no interest in the above action and am in good standing in the judicial circuit in which the process was served.

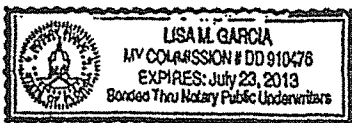
DANIELLE DRIGGERS
Process Server

Subscribed and Sworn to before me on the 22nd day of February, 2010 by the affiant who is personally known to me.

NOTARY PUBLIC

PROVEST
4520 Seedling Cir
Tampa, FL 33614
(800) 587-3357

Our Job Serial Number: [REDACTED]
Ref: 58944



IN THE CIRCUIT/COUNTY COURT IN AND FOR VOLUSIA COUNTY, FLORIDA

Judge : John V. Doyle - Div. 01
Case No : 2010 10660 CIDL

US BANK NATIONAL ASSOCIATION
Plaintiff(s),

-vs-

JOSE A GARCIA, ET AL
Defendant(s).

SUMMONS

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE:

YOU ARE HEREBY COMMANDED to serve this summons and a copy of the complaint or petition in the above styled cause upon the defendant(s):

S
OLGA J GARCIA
2692 SEDGEFIELD AVE
DELTONA, FL 32725

Done
A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint with the Clerk of this Court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken, without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the court, you must also mail or take a copy of your written response to the "Plaintiff/Plaintiff's attorney" named below:

LINDSAY R DUNN
9204 KING PALM DRIVE
TAMPA, FL 33619-1328

DATED: February 16, 2010

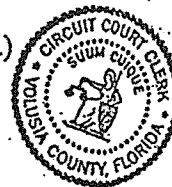
DIANE M. MATOUSEK
CLERK OF CIRCUIT/COURT

Deborah Guzman
By: Deborah Guzman, Deputy Clerk (seal)

rtm to proc serv/sop (MAX) cc pltf's atty
via proc serv

FILED
MARCH 12 AM 10:02
CLERK OF THE CIRCUIT
COURT VOLUSIA CO. FL
CC 32

(See reverse side for Spanish and French portion.)



33

IMPORTANTE

Usted ha sido demandado legalmente. Tiene 20 días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, deberá usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney" (Demandante o Abogado del Demandante).

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Un simple coup de téléphone est insuffisant pour vous protéger. Vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie de votre réponse écrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou à son avocat) nommé ci-dessous.

ADDRESS OF THE CLERK OF THE CIRCUIT COURT

DIANE M. MATOUSEK
CLERK OF THE COURT
P.O. Box 6043
DeLand, FL 32721-6043
(386) 736-5907

DIANE M. MATOUSEK
CLERK OF THE COURT
125 East Orange Avenue
Daytona Beach, FL 32114
(386) 257-6081

DIANE M. MATOUSEK
CLERK OF THE COURT
124 North Riverside Drive
New Smyrna Beach, FL 32168
(386) 423-3304

If English is not your native language and you need assistance understanding the court's proceedings, you will need to bring someone to interpret for you as this service is not provided by the court.

Si el inglés no es su lengua materna y va a necesitar ayuda para entender el proceso judicial, tendrá que traer a alguien para que le interprete ya que el tribunal no ofrece este servicio.

ATTENTION: PERSONS WITH DISABILITIES

If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Ave., Ste. 300, Daytona Beach, FL 32114, within 2 days of your receipt of this notice. If you are hearing impaired, call 1-800-955-8771; if you are voice impaired, call 1-800-955-8770.

THIS IS NOT A COURT INFORMATION LINE.

AFFIDAVIT OF SERVICE

State of FLORIDA

County of VOLUSIA

Circuit Court

Case Number: 07-10172 CIDL

Plaintiff:
US BANK N.A.

vs.

Defendant:
JOSE A. GARCIA, ET AL

For:
DAVID J. STERN, P.A.

Plantation, FL 33324

Received by PRO VEST on the 31st day of January, 2007 at 7:09 pm to be served on JANE DOE, 2692
SEDFIELD AVE., DELTONA, FL 32725.

I, Ruth Sophie, being duly sworn, depose and say that on the 3rd day of February, 2007 at 7:20 pm, I:

Individually Served the within named person with a true copy of the Summons, Complaint and Lis Pendens
with the date and hour endorsed thereon by me, pursuant to state statutes.

Military Status: Based upon inquiry of party served, defendant is not in the military service of the United States.

Additional Information pertaining to this Service:
JANE DOE NKA OLGA J GARCIA. MARRIED? NO. MOBILE HOME? NO.

I certify that I am over the age of 18, have no interest in the above action, and am a Legally Authorized Process
Server for this Judicial Circuit

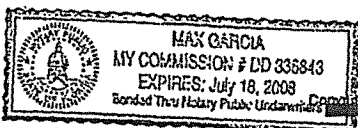
Ruth Sophie
Process Server

Subscribed and Sworn to before me on the 4th day of
February, 2007 by the affiant who is personally known
to me.

PRO VEST
202 S Rome Ave Suite 150
Tampa, FL 33606
(800) 587-3357

Our Job Serial Number: 2007001029
Ref: [REDACTED]

NOTARY PUBLIC



IN THE CIRCUIT/COUNTY COURT IN AND FOR VOLUSIA COUNTY, FLORIDA

Case No. 2007 10172 CIDL
Judge Robert K. Rouse, Jr. - Div. 02

U.S. BANK N.A.
Plaintiff(s),

-vs-

JOSE A GARCIA, ET AL
Defendant(s).

SUMMONS

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE:

YOU ARE HEREBY COMMANDED to serve this summons and a copy of the complaint or petition in the above styled cause upon the defendant(s):

JANE DOE, AS UNKNOWN TENANTS IN POSSESSION
2692 SEDGEFIELD AVE
DELTONA, FL 32725

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint with the Clerk of this Court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken, without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the court, you must also mail or take a copy of your written response to the "Plaintiff/Plaintiff's attorney" named below:

ROBYN R KATZ
801 S UNIVERSITY DRIVE
SUITE 500
PLANTATION, FL 33324

DATED: January 26, 2007

DIANE M. MATOUSEK
CLERK OF CIRCUIT/COUNTY COURT

By: Tiffany Scott, Deputy Clerk

retn to proc serv for sop, cc ptf's atty
by mail



(See reverse side for Spanish and French portion.)
CLERK OF THE CIRCUIT & COUNTY COURT VOLUSIA COUNTY, FL

2007 FEB 14 PM 2:46

FILED

12

IMPORTANT!

Usted ha sido demandado legalmente. Tiene 20 días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, deberá usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney" (Demandante o Abogado del Demandante).

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Un simple coup de téléphone est insuffisant pour vous protéger. Vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie de votre réponse écrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou à son avocat) nommé ci-dessous.

ADDRESS OF THE CLERK OF THE CIRCUIT COURT:

DIANE M. MATOUSEK
CLERK OF THE COURT
P.O. Box 6043
DeLand, FL 32721-6043
(386) 736-5907

DIANE M. MATOUSEK
CLERK OF THE COURT
125 East Orange Avenue
Daytona Beach, FL 32114
(386) 257-6081

DIANE M. MATOUSEK
CLERK OF THE COURT
124 North Riverside Drive
New Smyrna Beach, FL 32168
(386) 423-3304

If English is not your native language and you need assistance understanding the court's proceedings, you will need to bring someone to interpret for you as this service is not provided by the court.

Si el inglés no es su lengua materna y va a necesitar ayuda para entender el proceso judicial, tendrá que traer a alguien para que le interprete ya que el tribunal no ofrece este servicio.

ATTENTION: PERSONS WITH DISABILITIES

If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Ave., Ste. 300, Daytona Beach, FL 32114, (386) 257-6081 within 2 days of your receipt of this notice. If you are hearing impaired, call 1-800-955-8771; if you are voice impaired, call 1-800-955-8770.

THIS IS NOT A COURT INFORMATION LINE.

AFFIDAVIT OF SERVICE

State of FLORIDA

County of VOLUSIA

Circuit Court

Case Number: 06-10113 CIDL

Plaintiff:
U.S. BANK N.A.

vs.

Defendant:
JOSE A GARCIA, ET AL

For:
DAVID J. STERN, P.A.

Plantation, FL 33324

Received by PRO VEST on the 26th day of January, 2006 at 8:10 pm to be served on JANE DOE, 2692 SEDGEFIELD AVENUE, DELTONA, FLORIDA 32725.

I, Max Garcia, being duly sworn, depose and say that on the 8th day of February, 2006 at 10:05 am, I:

Individually Served the within named person with a true copy of the SUMMONS, COMPLAINT, LIS PENDENS with the date and hour endorsed thereon by me, pursuant to state statutes.

Military Status: Based upon inquiry of party served, defendant is not in the military service of the United States.


Additional Information pertaining to this Service:
JANE DOE NKA OLGA J GARCIA.MARRIED?NO.MOBILE HOME?NO.

I certify that I am over the age of 18, have no interest in the above action, and am a Legally Authorized Process Server for this Judicial Circuit



Max Garcia
Process Server

PRO VEST
202 S Rome Ave Suite 150
Tampa, FL 33606
(800) 587-3357

Our Job Serial Number: 2006000516
Ref: 

Subscribed and Sworn to before me on the 9th day of February, 2006 by the affiant who is personally known to me.


NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Ruth M. Sophie
Commission # DD425452
Expires: JUNE 20, 2009
Bonded Thru Atlantic Bonding Co., Inc.

IN THE CIRCUIT/COUNTY COURT IN AND FOR VOLUSIA COUNTY, FLORIDA

Case No. 2006 10113 CIDL
Judge Edwin P.B. Sanders - Div. 01

U. S. BANK N. A.
Plaintiff(s),

-vs-

JOSE A GARCIA, ET AL
Defendant(s).

SUMMONS

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE:

YOU ARE HEREBY COMMANDED to serve this summons and a copy of the complaint or petition in the above styled cause upon the defendant(s):

JANE DOE, AS UNKNOWN TENANTS IN POSSESSION
2692 SEDGEFIELD AVE
DELTONA, FL 32725

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint with the Clerk of this Court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken, without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the court, you must also mail or take a copy of your written response to the "Plaintiff/Plaintiff's attorney" named below.

ROBYN R KATZ
801 S UNIVERSITY DRIVE
SUITE 500
PLANTATION, FL 33324

DATED: January 26, 2006

retn to proc serv for sop,cc ptf's atty
by mail

DIANE M. MATOUSEK
CLERK OF CIRCUIT/COUNTY COURT

Tiffany Scott
By: Tiffany Scott/JV, Deputy Clerk (seal)

FILED
2006 FEB 15 AM 11:59
CLERK OF CIRCUIT & COUNTY COURT VOLUSIA COUNTY, FL.

(See reverse side for Spanish and French portion.)

12

AFFIDAVIT OF SERVICE

State of FLORIDA

County of VOLUSIA

Circuit Court

Case Number: 03-11985 CIDL

Plaintiff:
US BANK, N.A.

vs.

Defendant:
JOSE A. GARCIA, ET AL

For:
DAVID J. STERN, P.A.

Plantation, FL 33324

Received by PRO VEST on the 20th day of November, 2003 at 4:10 pm to be served on JANE DOE, 2692 SEDGEFIELD AVENUE, DELTONA, FLORIDA 32725.

I, Kim Niman, being duly sworn, depose and say that on the 25th day of November, 2003 at 3:50 pm, I:

Individually Served the within named person with a true copy of the SUMMONS, COMPLAINT, LIS PENDENS with the date and hour endorsed thereon by me, pursuant to state statutes.

Military Status: Based upon inquiry of party served, defendant is not in the military service of the United States.

Additional Information pertaining to this Service:
JANE DOE NKA JACQUELINE GARCIA.MARRIED?NO.MOBILE HOME?NO.

I certify that I am over the age of 18, have no interest in the above action, and am a Legally Authorized Process Server for this Judicial Circuit




Kim Niman
Process Server

Subscribed and Sworn to before me on the 26th day of November, 2003 by the affiant who is personally known to me.



NOTARY PUBLIC

PRO VEST
202 S Rome Ave Suite 150
Tampa, FL 33606
(800) 587-3357

Our Job Serial Number: 
Ref: S03-19891



IN THE CIRCUIT/COUNTY COURT IN AND FOR VOLUSIA COUNTY, FLORIDA

Case No. 2003 11985 CIDL
Judge Robert K. Rouse, Jr. - Div. 02

U.S. BANK, N.A.
Plaintiff(s),

-vs-

JOSE A GARCIA, ET AL
Defendant(s).

SUMMONS

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE:

YOU ARE HEREBY COMMANDED to serve this summons and a copy of the complaint or petition in the above styled cause upon the defendant(s):

JANE DOE, AS UNKNOWN TENANTS IN POSSESSION
2692 SEDGEFIELD AVENUE
DELTONA, FL 32725

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint with the Clerk of this Court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken, without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the court, you must also mail or take a copy of your written response to the "Plaintiff/Plaintiff's attorney" named below:

ROBYN R KATZ
801 S UNIVERSITY DRIVE
SUITE 500
PLANTATION, FL 33324

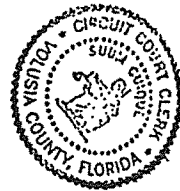
Dated November 20, 2003

DIANE M. MATOUSEK
CLERK OF CIRCUIT/COUNTY COURT

rtn to proc serv(Max)/sop cc pltfs atty
via proc serv

By: *Deborah Guzman*
Deborah Guzman
Deputy Clerk (seal)

FILED
2003 DEC -3 PM 12:04
CLERK OF CIRCUIT/COUNTY COURT
DELTONA, FLORIDA



CL-0374-8908

(See reverse side for Spanish and French portion.)

12

Dawgman
Jacqueline Gar
3:50P 11.25.11

IMPORTANT

Usted ha sido demandado legalmente. Tiene 20 días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá. Si usted no contesta la demanda a tiempo, podría perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, deberá usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney" (Demandante o Abogado del Demandante).

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès du tribunal. Un simple coup de téléphone est insuffisant pour vous protéger. Vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie de votre réponse écrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou à son avocat) nommé ci-dessous.

ADDRESS OF THE CLERK OF THE CIRCUIT COURT:

DIANE M. MATOUSEK
CLERK OF THE CIRCUIT COURT
P.O. Box 6043
101 N. Alabama Avenue
DeLand, FL 32721-6043

DIANE M. MATOUSEK
CLERK OF THE CIRCUIT COURT
P.O. Box 2401
125 East Orange Avenue
Daytona Beach, FL 32114

DIANE M. MATOUSEK
CLERK OF THE CIRCUIT COURT
124 N. Riverside Drive
New Smyrna Beach, FL 32168

ATTENTION: PERSONS WITH DISABILITIES

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact *Court Administration* at Suite 201, Courthouse Annex, 125 East Orange Avenue, Daytona Beach, FL 32114; Telephone: 386-257-6096 within two (2) working days of your receipt of this summons. If you are hearing or voice impaired, call 1-800-955-8771. **THIS IS NOT A COURT INFORMATION LINE.**

20157 102584 mmdl
 FLORIDA UNIFORM TRAFFIC CITATION A3970SE

7

COUNTY OF (8) VOLUSIA
 CITY (IF APPLICABLE)
 AGENCY NAME VOLUSIA COUNTY SHERIFF
 AGENCY # FL0640000, Case #: 15-7833

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON

SUMMONS (VIOLATOR'S COPY)
 DAY OF WEEK: SATURDAY, MONTH: 3, DAY: 21, YEAR: 2015, 3:51 PM
 NAME (PRINT) FIRST: OLGA, MIDDLE: JACQUELINE, LAST: GARCIA
 STREET: 2692 SEDGEFIELD AVE
 CITY: DELTONA, STATE: FL, ZIP CODE: 32725
 DATE OF BIRTH: 12, DAY: 06, YEAR: 1965, RACE: H, SEX: F, HT: 503
 DRIVER LICENSE NUMBER: [REDACTED], CLASS: E, COL. LICENSE: [X] YES, [] NO, YEAR LICENSE EXP: 2019
 YEAR VEHICLE: 2009, MAKE: HYUN, STYLE: 3D, COLOR: GRN, PLACERHOLD HAZARDOUS MATERIAL: [X] YES, [] NO
 VEHICLE LICENSE NO.: DCRX36, TRAILER TAG NO.: [REDACTED], STATE: FL, YEAR TAG EXPIRES: 2015, R 18 PASSENGERS: [X] YES, [] NO
 UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMED ELKCAM BLVD AND PROVIDENCE BLVD DELTONA
 MOTORCYCLE: [] YES, [X] NO
 COMPARISON CITATION NUMBER(S): [] YES, [X] NO
 FT. _____ INCHES _____ OF HEIGHT
 DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSES ONLY ONE OFFENSE EACH CITATION:
 UNLAWFUL SPEED _____ MPH SPEED APPLICABLE _____ MPH
 INTERSTATE SCHOOL ZONE CONSTRUCTION WORKERS PRESENT
 SPEED MEASUREMENT DEVICE: _____
 CARELESS DRIVING CHILD RESTRAINT EXPIRED DRIVER LICENSE SIX (6) MONTHS OR LESS
 VIOLATION OF TRAFFIC CONTROL DEVICE SAFETY BELT VIOLATION EXPIRED DRIVER LICENSE MORE THAN SIX (6) MONTHS
 FAILURE TO STOP AT A TRAFFIC SIGNAL IMPROPER OR UNSAFE EQUIPMENT EXPIRED TAG MORE THAN SIX (6) MONTHS NO VALID DRIVER LICENSE
 IMPROPER LANE CHANGE OR COURSE EXPIRED TAG SIX (6) MONTHS OR LESS DRIVING WHILE LICENSE SUSPENDED OR REVOKED
 NO PROOF OF INSURANCE DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS
 VIOLATION OF RIGHT-OF-WAY IMPROPER PASSING
 OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE:
 DRIVING WHILE LICENSE PERMANENTLY REVOKED SUSPENDED ON 02/11/2015
 AGGRESSIVE DRIVING IN VIOLATION OF STATE STATUTE SECTION 322.344
 CALS: YES, NO; PROPERTY DAMAGE: YES, NO; ALLY TO ANOTHER: YES, NO; SERIOUS BODILY INJURY TO ANOTHER: YES, NO; FATAL: YES, NO
 CRIMINAL VIOLATION COURT APPEARANCE REQUIRED, AS INDICATED BELOW.
 INFRACTION COURT APPEARANCE REQUIRED, AS INDICATED BELOW.
 INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT.
 CIVIL PENALTY IS \$ 0.00
 COURT INFORMATION TO BE SET DATE _____ TIME _____ COURT _____ LOCATION _____
 APPEAR DELIVERED TO ROR DATE 3/21/2015
 I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILTY OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.
 SIGNATURE OF VIOLATOR (SIGNATURE IS REQUIRED IF INFRACTION REQUIRES APPEARANCE IN COURT)
 DEP. DAVID SYLVESTER 7841 7841
 SIGNATURE OF OFFICER JUDGE NO. 7841 CL. NO. 7841
 I CERTIFY THIS CITATION WAS DELIVERED TO THE PERSON CITED ABOVE
 HSMV 75901 (Rev. 07/12)

IMPORTANT INSTRUCTIONS REGARDING A NON-CRIMINAL TRAFFIC INFRACTION NOT REQUIRING A COURT APPEARANCE

If you were charged with a civil infraction, you must complete one of the following options within 30 calendar days of the date of this citation. If you fail to comply within 30 calendar days, your driving privilege will be suspended until you comply. You will then be subject to additional penalties. Please see the front of the citation for the contact information for the Clerk of Court in the county where this violation occurred.

Option 1: You may pay the civil penalty listed on the front of this citation to the Clerk of Court. You must enclose this citation if you mail payment, which may be a money order or a cashier's check. The clerk does not accept personal checks. Payment of the civil penalty is considered a conviction and points will be assessed, if applicable. Proof of compliance in the form of driver license or registration certificate, whichever is applicable, is required in addition to payment if you were cited for driver license expired less than six months, expired tag less than six months, failure to display a valid driver license, and failure to display a valid registration. You will be required to complete a driver improvement course if you are convicted of running a red light or passing a school bus. Your driving privilege will be suspended if you are convicted of not providing proof of insurance. Accumulation of points may increase the cost of your insurance.

Option 2: If you were cited for expired driver license, failure to display a valid driver license, expired tag, failure to possess a valid registration, or no proof of insurance, you may show proof to the Clerk of Court that you had a valid driver license, tag/registration, or insurance, whichever is applicable, at the time of the offense. The charge will be dismissed upon payment of a dismissal fee.

Option 3: If you do not hold a commercial driver license and you were cited for driver license expired 6 months or less, expired tag 6 months or less, failure to display a valid driver license, failure to possess a valid registration, no proof of insurance, or driving while license suspended [see s. 322.34(10)(a), F.S.], you may elect to show proof of compliance to the Clerk of Court in the form of a valid driver license, registration, or proof of insurance, whichever is applicable. You may make only one such election per year and no more than three such elections in your lifetime. You must pay court costs and adjudication will be withheld.

Option 4: If you do not hold a commercial driver license, you may be eligible to elect to complete a Florida driver improvement course. You must contact the Clerk of Court to make this election. You may make only one such election per year and no more than five elections in your lifetime. Please visit www.flhsmv.gov for a list of approved courses and to determine your eligibility for this election. Adjudication will be withheld and points will not be assessed. You must pay a civil penalty and court costs. This option is not available for certain traffic offenses, including driver license, tag, and registration violations. Completion of a driver improvement course is required if you are cited for running a red light/traffic control device, even if you do not make this election.

Option 5: You may elect a court hearing by contacting the Clerk of Court. If you request a hearing and the County Judge/Magistrate/Hearing Officer determines that you have committed the offense, the County Judge/Magistrate/Hearing Officer may impose a penalty of up to \$500 (or \$1000 if a fatality occurred) and/or require completion of a driver improvement course. Points may be assessed. If it is determined that no infraction has been committed, no cost or penalties shall be imposed.

Option 6: If you were cited with a non-criminal violation of operating a motor vehicle in an unsafe condition (s. 316.610 F.S.) or not properly equipped (s. 316.610, F.S. or s. 316.2835, F.S.), you may have the defect corrected, then contact your local county or city law enforcement agency to have the correction certified below. You must pay the local law enforcement agency \$ _____ for this service. You may then mail or present this affidavit of compliance along with \$ _____ to the Clerk of Court within 30 calendar days of the date of this citation. No points will be assessed. This option does not apply to a commercial motor vehicle or a transit bus owned by a governmental entity.

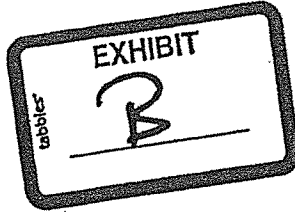
FAULTY EQUIPMENT AFFIDAVIT OF COMPLIANCE (Law Enforcement Use Only)

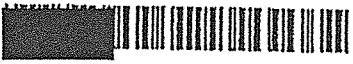
I certify that the defective equipment described herein has been corrected and complies with the requirements of the Florida traffic laws.

DATE: _____ ASSIGNED DHSMV AGENCY #: _____

Signed _____ (Name, Title, ID#)

FILED
 2015 APR 10 PM 3:09
 CLERK OF THE CIRCUIT COURT
 CITY OF VOLUSIA FLORIDA





FLORIDA UNIFORM TRAFFIC CITATION **A3970SE**

COUNTY OF **(8) VOLUSIA**
CITY (IF APPLICABLE)
AGENCY NAME **VOLUSIA COUNTY SHERIFF**
AGENCY # **FL0640000**, Case #: **15-7833**

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON
COMPLAINT (RETAINED BY COURT)

DAY OF WEEK **SATURDAY** MONTH **3** DAY **21** YEAR **2015** TIME **3:51 PM**

NAME (FIRST, MIDDLE, LAST)
OLGA JACQUELINE GARCIA

STREET **2692 SEDGFIELD AVE**
IF DIFFERENT THAN ONE ON DRIVER LICENSE "HERE" →

CITY **DELTONA** STATE **FL** ZIP CODE **32725**

TELEPHONE NUMBER DATE OF BIRTH **12 06** YR **1965** RACE **H** SEX **F** HGT **503**

DRIVER LICENSE NUMBER STATE **FL** CLASS **E** CELL LICENSE YES NO 2019 COMMERCIAL VEHICLE YES NO

VR VEHICLE MAKE **HYUN** STYLE **3D** COLOR **GRN** PLACARDED HAZARDOUS MATERIAL YES NO

VEHICLE LICENSE NO. **DCRX36** TRAILER TAG NO. STATE **FL** YEAR TAG EXPIRES **2015** 11 PASSENGERS YES NO

UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY **ELKCAM BLVD AND PROVIDENCE BLVD DELTONA**

FT. MILES N S E W OF ROAD

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE(S) ONLY ONE OFFENSE EACH CITATION.

UNLAWFUL SPEED _____ MPH SPEED APPLICABLE _____ MPH

INTERSTATE SCHOOL ZONE CONSTRUCTION WORKERS PRESENT

SPEED MEASUREMENT DEVICE:

CARELESS DRIVING CHILD RESTRAINT EXPIRED DRIVER LICENSE SIX (6) MONTHS OR LESS

VIOLATION OF TRAFFIC CONTROL DEVICE SAFETY BELT VIOLATION EXPIRED DRIVER LICENSE MORE THAN SIX (6) MONTHS

FAILURE TO STOP AT A TRAFFIC SIGNAL IMPROPER OR UNSAFE EQUIPMENT EXPIRED TAG MORE THAN SIX (6) MONTHS

IMPROPER LANE CHANGE OR COURSE EXPIRED TAG MORE THAN SIX (6) MONTHS NO VALID DRIVER LICENSE

NO PROOF OF INSURANCE DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

VIOLATION OF RIGHT-OF-WAY DRIVING WHILE LICENSE SUSPENDED OR REVOKED

IMPROPER PASSING DRIVING WHILE LICENSE SUSPENDED OR REVOKED

OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE: **DRIVING WHILE LICENSE PERMANENTLY REVOKED, SUSPENDED ON 02/11/2015**

AGGRESSIVE DRIVING IN VIOLATION OF STATE STATUTE SECTION **322.341**

CRASH PROPERTY DAMAGE YES NO POLICY TO ANOTHER YES NO SERIOUS BODILY INJURY TO ANOTHER YES NO FATAL YES NO

CRIMINAL VIOLATION COURT APPEARANCE REQUIRED, AS INDICATED BELOW.

INFRACTION COURT APPEARANCE REQUIRED, AS INDICATED & BELOW.

INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT.

CIVIL PENALTY IS \$ **0.00**

COURT INFORMATION TO BE SET DATE _____ COURT _____ LOCATION _____

ARREST DELIVERED TO **ROR** DATE **3/21/2015**

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

Olga Garcia

DEP. DAVID SYLVESTER 7841 7841

MARK: SIGNATURE OF OFFICER BLDG NO. DL NO. PROOF UNIT

I CERTIFY THIS CITATION WAS DELIVERED TO THE PERSON CITED ABOVE HSLMV 75901 (Rev. 07/12)

COMPLAINT

WHEN PRESENTED TO VIOLATOR, THE FOLLOWING AMOUNT WAS ENTERED. PAY A CIVIL PENALTY IN THE AMOUNT OF \$ **0.00**

CASE NO. Case #: _____ DOCKET NO. _____ PAGE NO. _____

DATE	COURT ACTION AND OTHER ORDERS
	BAIL FIXED AT \$ _____ OR CASH DEPOSIT OF \$ _____ SIGNATURE OF PERSON GIVING BAIL _____ SIGNATURE OF PERSON TAKING BAIL _____
	FINE IN THE AMOUNT OF \$ _____ RECEIVED AS REQUIRED BY COURT SCHEDULE. _____ SIGNATURE OF CLERK _____
	CONTINUANCE TO _____ REASON _____
	CONTINUANCE TO _____ REASON _____
	BOND ESTREATED _____
	WARRANT ISSUED _____
	VIOLATOR FAILED TO APPEAR-DRIVER LICENSE SUSPENDED
	VIOLATOR ARRAIGNED ON _____ (DATE) PLEA: _____ FINDING: _____ ADJUDICATION: _____ SENTENCE: FINE _____ COST _____ JAILED _____ DAYS DRIVER IMPROVEMENT SCHOOL _____ OTHER _____ DRIVER LICENSE SUSPENDED OR REVOKED FOR _____ DAYS RECOMMEND DRIVER LICENSE SUSPENSION FOR _____ DAYS RECOMMEND RE-TEST _____
	SIGNATURE OF JUDGE _____
	TESTIMONY - JUDGE'S NOTES (OR OTHER COURT ORDERS):
	APPEAL BOND OF \$ _____
	VIOLATOR'S FINGERPRINT WHEN APPLICABLE →

MAR 27 2015
LOCKED IN ERROR

FILED
2015 APR 10 PM 3:09
CLERK OF THE CIRCUIT COURT IN VOLUSIA COUNTY, FL
3653

Citation Inquiry Summary Report Generated on Fri Sep 18 2015 13:52:22 GMT-0400
(Eastern Daylight Time)

Print Close

Case Information - State of Florida -vs- GARCIA, OLGA J

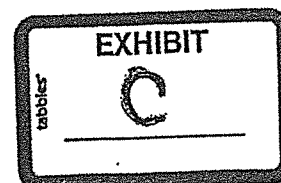
Case Number:	2014 121462 TRDL	Division/Judge:	71 - Christopher Kelly
Companion Citations:	NO	Next Court Date:	N/A
Attorney:	N/A	Officer:	N/A

Citation Information - 316.1895 - SPEED - SCHOOL ZONE

Citation Number:	A1IJEOP	Citation Status:	CLOSED
Filing Date:	12/12/2014	Violation Date:	12/09/2014
Citation Type:	CIVIL TRAFFIC	Rental:	N/A

Miscellaneous Information

Balance :	\$0.00
Disposition/Date:	PAID CIVIL PENALTY/ ADJUDICATED GUILTY 04/07/2015
Payment Due By:	01/09/2015
D-Six:	YES
UCN:	642014TR121462XXXXDL
Collections:	



Citation Inquiry Citation Detail Report Generated on Fri Sep 18 2015 13:52:42 GMT-0400 (Eastern Daylight Time)

Print Close

Citation
Violation Date: 12/09/2014
Issuing Agency: SHERIFFS DEPT
VOLUSIA COUNTY
Violation Location: CW - COUNTY WS
Filing Date: 12/12/2014

Drivers License
Not Available for Public Display.

Vehicle/Vessel
Year: 2009 Make: HYUNDAI
Tag Number: DCRX36 Tag State: FLORIDA

Violator
First Name: OLGA
Middle Name: J
Last Name: GARCIA
Suffix: N/A
Address: 2692 SEDGEFIELD
City: DELTONA
State: FLORIDA Zip: 32725
Birth/YOB Date: 12/06/1965 Gender: F

Statute
Number: 316.1895
Description: SPEED - SCHOOL ZONE

Miscellaneous
Commercial Vehicle: NO Hazardous Material: NO
NO
Crash Information: Crash: NO Property Damage: NO Injury to Another: NO Serious Bodily: NO Fatality: NO Injury to Defendant: NO
Speeds: Actual: 43 Posted: 20
Blood Alcohol: Refused BAL: NO Blood Alcohol Level: N/A
Required Appearance: NO
Handicap: NO
Processing Location: DELAND

2013106517MMDL

DL
w/s
7



1/2
4

FLORIDA UNIFORM TRAFFIC CITATION **A0A6S5P**

COUNTY OF Volusia	<input type="checkbox"/> (1) FHP <input type="checkbox"/> (2) PD <input checked="" type="checkbox"/> (3) SO <input type="checkbox"/> (4) OTHER				
CITY OF APPLICABLE LAW Deltona	AGENCY NAME JKSO				
IN THE COURT DESIGNATED BELOW THE UNDERSIGNED OFFICER THAT HE/SHE HAS AUST AND REASONABLE DOUBTS TO BELIEVE AND DOES BELIEVE THAT ON					
COMPLAINT (RETAINED BY COURT)					
DAY OF WEEK Mon	MONTH 8	DAY 5	YEAR 13	TIME 710	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
NAME (FIRST) Olga	MIDDLE J	LAST Garcia			
STREET 2150 Sedgefield Ave					
CITY De Homa STATE FL ZIP CODE 32125					
TELEPHONE NUMBER	DATE OF BIRTH 12 6	SEX W	RACE F	HAIR 5 03	NOT
DRIVER LICENSE # 2809	STATE FL	CLASS E	EXPIRES 2019	COMMERCIAL VEHICLE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PLACARDED HAZARDOUS MATERIAL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
VEHICLE LICENSE NO 999 WLS	TRAILER TAG NO	STATE FL	EXPIRES 2012	2-18 PASSENGERS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	MOTORCYCLE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION NAMEDLY 2150 Eustace Ave					
FT _____ MILES _____ OF ROAD _____					

13-21330

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE. CHECK ONLY ONE OFFENSE EACH CITATION.

- UNLAWFUL SPEED _____ MPH SPEED APPLICABLE _____ MPH
- INTERSTATE SCHOOL ZONE CONSTRUCTION WORKERS PRESENT
- CARELESS DRIVING
- VIOLATION OF TRAFFIC CONTROL DEVICE
- FAILURE TO STOP AT A TRAFFIC SIGNAL
- IMPROPER LANE CHANGE OR COURSE
- NO PROOF OF INSURANCE
- VIOLATION OF RIGHT-OF-WAY
- IMPROPER PASSING
- CHILD RESTRAINT
- SAFETY BELT VIOLATION
- IMPROPER OR UNSAFE EQUIPMENT
- EXPIRED TAG SIX (6) MONTHS OR LESS
- EXPIRED TAG MORE THAN SIX (6) MONTHS
- DRIVING WHILE LICENSE SUSPENDED OR REVOKED
- EXPIRED DRIVER LICENSE SIX (6) MONTHS OR LESS
- EXPIRED DRIVER LICENSE MORE THAN SIX (6) MONTHS
- NO VALID DRIVER LICENSE
- DRIVING UNDER THE INFLUENCE
- Passenger Under 18 Yes No

OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE: **w/ knowledge. Address has not changed**

AGGRESSIVE DRIVING IN VIOLATION OF STATE STATUTE **322.34(2)**

CRIMINAL VIOLATION COURT APPEARANCE REQUIRED AS INDICATED BELOW

CIVIL PENALTY IS \$ **0.00**

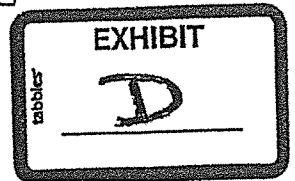
COURT INFORMATION: **To be set** COURT **FILED**

LOCATION **AUG - 7 2013**

AGENCY DELIVERED TO **KOR** DATE

OFFICER **185T Fallin** IAW5

7



W/S



2/2

7

AQUAWXP 7

FLORIDA UNIFORM TRAFFIC CITATION

COUNTY Volusia (1) FHP (2) PD (3) SO (4) OTHER

CITY OF APPLICABLE AGENCY NAME Deltona AGENCY # VK30

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND SOLE BELIEVE THAT ON

COMPLAINT (RETAINED BY COURT)

DAY OF WEEK Mon MONTH 8 DAY 5 YEAR 13 TIME 7:10 AM PM

NAME FIRST Olga MIDDLE J LAST Garcia

STREET 2692 Sedgefield Ave IF DIFFERENT THAN ONE ON DRIVER LICENSE IT HERE

CITY Deltona STATE FL ZIP CODE 32725

TELEPHONE NUMBER DATE OF BIRTH 12 DAY 6 YEAR 65 SEX F HEIGHT 5'3"

DRIVER LICENSE NUMBER

VEHICLE MAKE Hyund MODEL 3D COLOR GRN YEAR LICENSE 2013 COMMERCIAL VEHICLE YES NO

VEHICLE LICENSE NO 997WLG TRAILER TAG NO STATE FL YEAR TAG EXPIRES 2012 2-18 PASSENGERS YES NO

UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY 2150 Eustace Ave, DLT

FT _____ INCH _____ OF MOTOR

13-21338

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE. CHECK ONLY ONE OFFENSE EACH CITATION.

UNLAWFUL SPEED _____ MPH SPEED APPLICABLE

INTERSTATE SCHOOL ZONE CONSTRUCTION WORKERS PRESENT

SPEED MEASUREMENT DEVICE

CARELESS DRIVING CHILD RESTRAINT EXPIRED DRIVER LICENSE

VIOLATION OF TRAFFIC CONTROL DEVICE SAFETY BELT VIOLATION SIX (6) MONTHS OR LESS

FAILURE TO STOP AT A TRAFFIC SIGNAL IMPROPER OR UNSAFE EQUIPMENT EXPIRED DRIVER LICENSE

IMPROPER LANE CHANGE OR COURSE EXPIRED TAG SIX (6) MONTHS OR LESS MORE THAN SIX (6) MONTHS

NO PROOF OF INSURANCE EXPIRED TAG MORE THAN SIX (6) MONTHS NO VALID DRIVER LICENSE

VIOLATION OF RIGHT-OF-WAY DRIVING WHILE LICENSE DRIVING UNDER THE INFLUENCE

IMPROPER PASSING SUSPENDED OR REVOKED PASSENGER UNDER 18 YRS

OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE Expired 12-6-12

AGGRESSIVE DRIVING IN VIOLATION OF STATE STATUTE 370.01(2)(b) SECTION 370.01(2)(b)

DELIBERATE PROPERTY DAMAGE HARM TO ANOTHER PERSON SERIOUS BODILY HARM TO ANOTHER PERSON

CRIMINAL VIOLATION COURT APPEARANCE REQUIRED AS INDICATED BELOW

INFRACTION COURT APPEARANCE REQUIRED AS INDICATED BELOW

INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT

CIVIL PENALTY IS \$ 111.00

AQUAWXP

COURT APPOINTMENT DATE See back TIME _____

COURT LOCATION FILED

AUG - 7 2013

ARREST DELIVERED TO _____

I AGREE AND PROMISE TO COMPLY AND OBEY THE ORDINANCES AND INSTRUCTIONS SPECIFIED IN THIS CITATION WILLFUL REFUSAL TO ACCEPT AND OBEY THIS CITATION WILL BE CONSIDERED AN OBSTRUCTION OF JUSTICE AND WILL BE PUNISHED AS SUCH BY THE COURT.

Olga Garcia

DATE OF VIOLATION 8/5/13 OFFENSE IS DESCRIBED BY INFRACTION NUMBER 1031 SPECIAL LICENSE NO. 1415

NAME OF OFFICER 1031 RILEY 1415

PLATE NO. _____

TRIP NO. _____

TRIP DATE _____

HSAY 75071 (Rev. 07/12)

September 10, 2013

ATT: Judge MCGlashan

OLGA J. GARCIA
2692 Sedgefield Ave
✓ Deltona, FL 32725
Case # 2013 106517 MM.

Judge MCGlashan
DeLand Courtroom 1
101 N ALABAMA AVE
DeLand, FL

FILED
13 SEP 10 PM 12:30
CLERK OF THE CIRCUIT
& CIV COURT VOLUNSA CIV, FL
09 25

YOUR HONOR,

My name is Olga J. Garcia my case #
is 2013 106517MMDL my arraignment is on
Sept 11th, 2013 at 8:15 AM. I would like to be
excused from court on this day. My Grandmother
is in the hospital and I am the only person
that takes care of her. If you can please
Reschedule me at another time I would be
really grateful, I really want to resolve
this issue. If you need to speak to
me you can call me at 386-215-0918

Thank you,
Olga J. Garcia

10/16/2013 17:29 0293

PAGE 01

Olga J. GARCIA
 2692 Sedgefield A
 Deltona, FL 32725
 Case # 2013106517
 MMDL

JUDGE McGLASHAN
 DeLand COURTROOM 3A
 101 N ALABAMA AVE
 DeLand FL.

YOUR HONOR my name is Olga J. GARCIA my
 Case # 2013106517MMDL. I have a court date on
 Oct 18, 2013 at 8:30am. I have been before you on Oct.
 3rd 2013. At the time I told you getting my license
 would cost \$275.00, and I thought I would be
 able to pay for it by the 18th of Oct 2013, unfortunately
 I am still short on the amount I need to resolve
 this situation. The earliest I can honestly get
 the full amount is by the 29th of October 2013.

I am writing this letter to see if
 I could be excused from court until that date. I
 have missed 2 days of work this month trying to
 resolve this problem. If I miss work on Oct 18 2013
 I would still have to come back on another day
 and I am afraid for my job. I am the only
 person working in my household at the moment. I
 would be so grateful if you can help me. I
 will definitely have my license on October 29, 2013
 you have my word.

Thank you
 Olga J Garcia
 Jackie Daisy 1265@GMAIL.COM
 386-215-0918