

**IN THE SUPREME COURT OF FLORIDA  
STATE OF FLORIDA**

**FILED**  
THOMAS D. HALL

2013 JUL 30 PM 1:55

CLERK, SUPREME COURT

CONNIE MCCALLUM-THOMPSON,

BY \_\_\_\_\_

Petitioner,

SC CASE NO.: SC13-1243

Lower Tribunal No(s): 1D12-3139,  
2011-CA-1059

vs.

THE PRESERVE AT OAKLEAF PLANTATION  
CONDOMINIUM ASSOCIATION, INC., et al

Respondent

\_\_\_\_\_ /

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**PETITIONER'S JURISDICTIONAL BRIEF**

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## I.

### STATEMENT OF THE CASE

This is an appeal to void the decision of the Fourth District Court of Clay County, rendered on January 23<sup>rd</sup>, 2012; as the lower tribunal lacked subject matter jurisdiction and acted in a manner inconsistent with due process.

The First DCA's opinion in this case, if allowed to stand, would circumvent the legal constructs put in place to protect individual rights, including the rules of civil procedure, due process, and evidentiary; circumventing constitutional protections to, improperly, tilt the process in favor of homeowners' associations and, in this case, showing extreme bias against a minority homeowner, under the pretense of alleged unpaid HOA dues incurred by previous owners for whom the association appears to have, discriminatorily, waived those very fees.

The case involves a dispute between Oakleaf Plantation's Homeowners' Association and property owner, Connie McCallum-Thompson. At issue is whether the lower tribunal provided Petitioner meaningful access to the court and whether Final Summary Judgment, in this case, lacks subject matter jurisdiction and is inconsistent with due process and, thereby, void *ab initio*.

On January 23, 2012, the trial court granted Summary Final Judgment in favor of Respondent, allowing foreclosure though the HOA had *neither* met service requirements, pursuant to Fla. R. App. P 1.510 nor "set forth such facts as would be admissible in evidence" to entitle it to "summary judgment as a matter of law". In fact, Petitioner has cause to believe there is no credible witness who

can provide information and evidence to support the alleged dues, fees, and attorneys' expenses accumulated over four or more years prior to Petitioner's purchase; otherwise, Respondent would have provided a more detailed accounting as opposed to amounts grouped by the thousands, in contrast with the declaration.

Thereby, the lower tribunal, simply, acted as a "kangaroo court" to deny Petitioner such fundamental guarantees as the right to confront witnesses and to only competent evidence in ruling on a motion for summary judgment. *Daeda v. Blue Cross & Blue Shield of Fla., Inc.*, 698 So.2d 617, 618 (Fla. 2d DCA 1997); *Tunnell v. Hicks*, 574 So.2d 264, 266 (Fla. 1st DCA).

Nonetheless, before a court can proceed judicially, jurisdiction must be complete; including two opposing parties and the service of process pursuant to applicable statutes, yet, given Petitioner's "dispute" reflecting substantial conflicts and extrinsic evidence of fraudulent documents filed with the court and standard formulations that summary judgment should be denied whenever there is the "slightest doubt as to the facts", the court has neither subject matter jurisdiction nor any basis upon which to rule judicially; until the Respondent/Plaintiff testifies.

Subsequently, despite Petitioner's timely appeal and filing of the initial brief as noted in the transcript, the First DCA improperly denied all attempts by petitioner to obtain meaningful access to the courts and to, finally, vacate the aforesaid judgment as "void *ab initio*"; including but not limited to dismissing appeals for the non-payment of fees, even in the face of numerous applications and motions for insolvency and disregarding the lower tribunal court's exclusion of

said documents in a transcript of the record, which the lower tribunal falsely claimed to be complete.

As a result, Petitioner has cause to believe that because the current state of jurisprudence has a bias towards homeowners' associations, the aforesaid substantial prejudice culminated to circumvent her rights to equal protection against discriminatory practices and, thereafter, to deprive her of both her rights to due process and meaningful access to the courts, though basic tenets of civil procedure and constitutional law have not been met.

## **II.**

### **SUMMARY OF THE ARGUMENT**

The First DCA improperly denied the motion to vacate final judgment, pursuant to Florida Rule of Civil Procedure 1.540(b), which provides in pertinent part: "On motion and upon such terms as are just, the court may relieve a party...from a final judgment...for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial or rehearing; (3) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party; (4) that the judgment or decree is void; or (5) that... it is no longer equitable that the judgment or decree should have prospective application... This rule does not limit the power of a court to entertain an independent action to relieve a party from a judgment...or proceeding or to set aside a judgment or decree for fraud upon the court."

Subsequently, Petitioner provided sufficient evidence the lower tribunal made mistakes, including the original “certificate of sale” (Petitioner’s Motion to Vacate and Dismiss, App.No.2 and Motion to Compel Complete Transcript, App. No. 3(See App C)) with authenticating seal, showing Petitioner was not “the successful purchaser at the foreclosure sale” as claimed (R: Vol. 1, pp. 31, para 8; and pp. 86) and that, in fact, despite being consistently informed Petitioner was not receiving notifications, the association both knowingly and continuously billed Petitioner at the previous owner’s address (See App B), which Respondent had every reason to believe she would not “timely” receive as she (clearly) has *no* access to the previous owner’s mail receipts. (See App B, “newly discovered evidence”, attchd “payment coupon”, note and enclosed envelop, dated May 2013).

Thereby, as oppose to notifying Petitioner at her own address, Respondent either deliberately or by “inadvertence” forwarded billings and other notifications to the address noted in the aforesaid “newly discovered evidence” and certificate of sale for the actual “purchaser(s) at...foreclosure”, from whom Petitioner purchased her condo; while “vigorously” arguing before the court Petitioner’s “default”.

The aforesaid error, clearly, prejudiced the lower tribunal court to impact Petitioner negatively as evident by the court’s assessment of a five-thousand dollar property bond against a party it knew to be indigent; another violation of constitutional protections in the effort to circumvent Petitioner’s rights to stop foreclosure during the process of appeal of a debt she neither accumulated nor was she ever billed at her own address but said debt was, in fact, incurred by previous

owners for a period of four or more years prior to Petitioner's purchase and was, in fact, billed to Petitioner and forwarded, instead, to the address of previous owners as shown, again, by "newly discovered evidence [i.e., the attached "payment coupon book" with petitioner's name but erroneously addressed to the previous owners] which by due diligence could not have been discovered in time to move for a new trial or rehearing", given petitioner is just receiving it as of late May 2013; evidence which conflicts with Respondent's claim documents (R: Vol. 1, pp. 86) and reflects a, clear, lack of both due process and subject matter jurisdiction in that petitioner was never billed for homeowners' association fees, served liens, or many other notifications at her documented residential address, clearly, known to Respondent and shown in the Amended Certificate of Title (R: Vol. 1, pp. 85).

Instead, Petitioner was deprived of her due process rights, because (as shown by the attached "payment coupon book", dated May and June 2013, and in the record of transcript (R: Vol. 1, pp. 99), reflecting the "difficulties" regarding "receipt of information", the association at times "refused to provide" Petitioner with the necessary "information"; which contributed to Petitioner not receiving numerous notifications, timely or otherwise, as noted in the record of transcript.

Later, the association argued for dismissal of Petitioner's appeal by and through its counsel, noting that "Summary Final Judgment entered in the underlying action was rendered on January 23, 2013. R: Vol 1, p. 128-132" and that Petitioner "filed a notice of appeal..." *thirty-one* days after rendition of the



Summary Final Judgment on February 23, 2012. R: Vol. 1, pp. 134-135”.

Respondent, then, stated “the Court’s jurisdiction is not invoked unless the notice is actually *filed* within thirty days of rendition of the order being appealed. *Thigpen v. Ash*, 45 So. 3d 547, 547-548 (Fla. 1<sup>st</sup> DCA 2010)” and that “Florida Rule of Appellate Procedure 9.020(i) provides that ‘[a]n order is rendered when a signed, written order is filed with the clerk of the lower tribunal” and that the “rendition” date is the filing date, “not the recording date. *Costo v. Casto*, 404 So. 2d 1046 (Fla. 1981) (noting that “[t]he 1977 revision explicitly changed the definition of ‘rendition’ so that it no longer refers to the recording of a judgment and now refers to its filing.”

On that note, the association should not expect any special treatment in that the same rules and laws it reasons are sufficient to dismiss Petitioner’s appeal are no less adequate in rendering Summary Final Judgment to Foreclose void when subject matter jurisdiction is “not invoked”; although it was not successful in its argument after it was soon discovered Petitioner had (in fact) “hand delivered” said appeal (R: Vol. 1, pp. 145) to the lower tribunal court on an earlier date; which, then, was noted “filed” with the First DCA on February 23, 2012, R: Vol. 1, pp. 134; though by March 6, the lower tribunal court had, somehow, erroneously noted (R: Vol. 1, pp. 143) and filed in the record of transcript a statement that “[a] Notice of Appeal has not been filed with [its] office”. See Notice; R: Vol. 1, pp. 135.

Whether “mistake[s]”, “inadvertence”, “excusable neglect”, or “fraud”, the original court filing contained duplicitous documents and arguments, while others

were mishandled; creating substantial harm to Petitioner, enough to culminate in the hindrance of her constitutional rights, including obstructing meaningful access to the courts with extremely negative impact as Respondent was able to secure affirmative relief for four or more years of previous owners', alleged, dues to the detriment of Petitioner without jurisdictional standing and regardless of the merits.

In fact, "evidentiary conflicts [consistently] show [Respondent] misrepresented the facts, including but not limited to stating that 'pursuant to Rule 1.510, Florida Rules of Civil Procedure, [Respondent] moves for summary judgment' when, in fact, it did neither 'serve the motion *at least* 20 days before the time fixed for the hearing', as required...nor did it 'set forth such facts as would be admissible in evidence'. Thereby, as of January 23, 2012, Respondent had *not* met requirements entitling it to 'summary judgment as a matter of law'" and, as skillfully argued by its counsel, did not have subject matter jurisdiction; which "is not invoked unless the notice is actually" *served* at least 20 days *before* the time fixed for the hearing. "In this case, [according to Respondent's counsel] the Summary Final Judgment reflects that it was *filed* by the clerk of the lower tribunal on January 23, 2012. R: Vol. 1, pp.128." The "Notice of Hearing", however, wasn't filed until January 5, 2013. R: Vol. 1, pp. 124. The Notice was, therefore, served seventeen days before the time fixed for hearing and not the required "20 days *before*"; therefore, service of process was not made pursuant to applicable statutes and the lower tribunal court did not have subject matter jurisdiction, thereby, violating plaintiff's due process rights and rendering Final Summary

Judgment void, *ab initio*.

### **JURISDICTIONAL ARGUMENT**

This Court should exercise jurisdiction, pursuant to Fla. R.App. P. 1.540(b), 1.420(b), 9.030(a), as the First DCA failed to provide sufficient oversight, including relief from a void judgment, in this case, Final Summary Judgment to Foreclose despite lack of subject matter jurisdiction and due process violations; circumventing tenets of civil procedure and constitutional law to internalize and encourage deprivation of Petitioner's property rights without due process.

### **III.**

#### **ARGUMENT**

##### **A. The First DCA'S Denial Conflicts with Opinions of Other Courts and Constitutional Law**

There is express and direct conflict between the First DCA's decision here and the Third DCA Court's in *Shields v. Flinn*, 528 So. 2d 967, 968 (Fla. 3d DCA 1988); the U.S. Supreme Court in Fed Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A.; U.S.C.A. Const Amend. 5; *Klugh v. U.S.*, 620 F.Supp. 892 (D.S.C. 1985); and in the Florida Rules of Civil Procedure 1.540; cases that stand for the proposition that "[j]udgment is void...if court that rendered [it] lacked jurisdiction of the subject matter...or acted in a manner inconsistent with due process".

In *Shields*, the Court held relief from a void judgment may be granted at any time. 528 So. 2d 967, 968 (Fla. 3d DCA 1988); see *Kennedy v. Richmond*, 512 So. 2d 1129, 1130 (Fla. 4th DCA 1987); *Falkner v. Amerifirst Fed. Sav. & Loan Ass'n*, 489 So. 2d 758, 759 (Fla. 3d DCA 1986) and in both the United States

Supreme Court, Fed Rules Civ. Proc., Rule 60(b)(4) and Florida Rule 1.540(b)(4), relief is provided, instantaneously, from void judgments.

In fact, the “rule authorizing a court on motion to relieve a party or a legal representative from a final judgment or order for any reason justifying relief is to be liberally applied in a proper case, that is, in a case involving extraordinary circumstances or extreme hardship. U. S. v. Cirami, C.A.2 (N.Y.) 1977, 563 F.2d 26, on remand 92 F.R.D. 483. See, also, Marquette Corp. v. Priester, D.C.S.C.1964, 234 F.Supp. 799; U.S. v. \$3,216.59 in U.S. Currency, D.C.S.C.1967, 41 F.R.D. 433. Subd. (b)(4) to (6) of this rule that court may relieve party from final judgment if it is void, if it is no longer equitable that judgment should have prospective application or for any other reason justifying relief from operation of judgment, is to be liberally construed to carry out purpose of avoiding enforcement of erroneous judgment. Blanchard v. St. Paul Fire & Marine Ins. Co., C.A.5 (Fla.) 1965, 341 F.2d 351, certiorari denied 86 S.Ct. 66, 382 U.S. 829, 15 L.Ed.2d 73. This rule should be liberally construed for purpose of doing substantial justice. In re Hankins, N.D.Miss.1973, 367 F.Supp. 1370. See, also, Fackelman v. Bell, C.A.Ga.1977, 564 F.2d 734; Radack v. Norwegian America Line Agency, Inc., C.A.N.Y.1963, 318 F.2d 538; Triplett v. Azordegan, D.C.Iowa 1977, 478 F.Supp. 872; Tann v. Service Distributors, Inc., D.C.Pa.1972, 56 F.R.D. 593, affirmed 481 F.2d 1399. This rule establishing requirement for granting relief from a final judgment or order is to be given a liberal construction. U. S. v. One

1966 Chevrolet Pickup Truck, E.D.Tex.1972, 56 F.R.D. 459. 7. -- Void judgment

clause: Although this rule providing for relief from judgment is not substitute for appeal and finality of judgments ought not be disturbed except on very narrow grounds, liberal construction should be given this rule to the end that judgments which are void or are vehicles of injustice not be left standing. *Brennan v. Midwestern United Life Ins. Co.*, C.A.7 (Ind.) 1971, 450 F.2d 999, certiorari denied 92 S.Ct. 957, 405 U.S. 921, 30 L.Ed.2d 792. A claim for relief from judgment on the basis of "any other reason justifying relief from operation of the judgment" is cognizable where there is evidence of extraordinary circumstances or where there is evidence of extreme hardship or injustice, and, once extraordinary circumstances or hardship is found, this rule is to be liberally applied to accomplish justice. *U. S. v. McDonald*, N.D.Ill.1980, 86 F.R.D. 204."

Consequently "it is no longer equitable that [Final Summary Judgment to Foreclose] should have prospective application" as a vehicle of injustice.

**B. Only Competent Evidence May be Considered in Ruling on a Motion for Summary Judgment**

The record of transcript shows that, as of "August 9, 2011", Respondent claimed "[Petitioner] owes Plaintiff \$18,879.04 for unpaid assessments" (R: Vol 1, pp. 4, para 13) accumulated in less than one year after her purchase.

As a reminder to the court, Petitioner notes the aforesaid "assessment" is not for some luxury accommodation but a small three bedroom apartment condo in Orange Park, Florida. In comparison, the previous owners accumulated "\$10,200.00" from "November 2006 through the assessment due August 1, 2010"

(R: Vol. 1, pp. 86, para 4), according to Respondent; implying Petitioner's

assessments accrued at the implausible rate of four or more times that of the previous owners who happened to be white.

Furthermore, attached as an Exhibit to Respondent's Motion for Summary Judgment is one letter, dated February 17, 2011, (R: Vol, 1, pp. 90) which was neither signed nor notarized though purportedly sent to Petitioner and considered in the lower tribunal court's decision for summary judgment.

A second letter, while signed by Chris Hallam and notarized, is dated November 18, 2008 (R: Vol. 1, pp. 226) and, clearly, contradicts claims by the association that Petitioner is liable for previous unpaid fees as far back as "November 2006"; the date noted in the aforesaid erroneous correspondence, dated September 8, 2010 (R: Vol. 1, pp. 86), also, considered by the lower tribunal court in support of summary judgment in favor of Respondent. In fact, the "second letter" shows a lien assessed against the previous owner, Adrienne Cairns, showing fees from "November 2006" up to "March 2007" were already satisfied; subsequently, there are no other liens against the same unit until after Petitioner's purchase nearly four years later, when she was notified by certified mail, on or about May 2011, of an "Intent [by Respondent, dated April 15, 2011] to Foreclose in 30 days"; despite the aforesaid contradictions, overt inaccuracies, and evidence that the lien was obtained without due process notification and despite Respondent's failure to "invoice" Petitioner at her own address.

Instead, pursuant to Florida Rule 1.540(b)(2), "newly discovered evidence which by due diligence could not have been discovered in time to move for a new

trial or rehearing” shows Respondent continued up and until after this year, May 2013, to forward said notices to the previous owner; notwithstanding instructions by its own counsel and Petitioner’s persistent assurance before the court that she was never billed by Respondent (R: Vol. 1, pp. 111, para 13 & pp. 112, para d), even after said correspondence, dated September 8<sup>th</sup>, 2010, which Respondent clearly did not take seriously; continuing to bill Petitioner at the wrong address.

Consequently, the aforesaid inconsistencies raise even more concerns regarding both the validity and authenticity of the September correspondence and whether or not it was manufactured as an afterthought; given Respondent’s own non-compliance, compelling Petitioner to ask the First DCA to “sanction”<sup>1</sup> Respondent for failing to bill her, while claiming she “failed to timely pay assessments” (R: Vol 1, pp. 31; para 11) despite forwarding billing statements, bearing her name, to the previous owner’s address as oppose to Petitioner’s own documented address; which is, certainly, strange at best (yet) extremely suspect.

Further, while the association had occasion to attach an "Affidavit of Indebtedness in Support of Final Judgment", the lack of admissible evidence is gut wrenching, under the circumstances; serving only to magnify the presence of issues of genuine material fact in that one document, signed by Respondent's agent, maintains Petitioner’s liability is from "November 2006", while the other (signed by Chris Hallam) contradicts that claim; consequently, reversal is warranted as said affidavits filed in support and in opposition to summary judgment, clearly,

<sup>1</sup>Petitioner’s Amended Reply Brief, dated November 30, 2012: “For the above-stated reasons, Appellant request this honorable court reverse Summary Judgment and order payment of homeowners’ association fees beginning either from the date of this court’s order or upon her first and *only* invoice, yet to be received, in this matter, as a sanction and that Appellee invoice Appellant by email notification, as provided below, once every month and in advance of fees due; providing a receipt and any other relief the court deems equitable.”

conflict regarding amounts due, liable owners as of August 10<sup>th</sup>, and why Respondent accumulated fees for Petitioner at four times the rate of previous white owners whom they deny exist (R: Vol. 1, pp. 109, para 6);<sup>2,3</sup> raising red flags.

Subsequently, Respondent's digression from the facts, claiming Petitioner "was the high bidder for [her] property" (R: Vol. 1, pp. 31; para 8) continued with the first line, pg 2, of its "Answer Brief" and erroneous "Statement of the Facts"<sup>2,3</sup>; with no effort to correct the record, leading Petitioner to concede Respondent's intent to misrepresent the facts is deliberate.

### **Conclusion**

Accordingly, based on the foregoing, it is respectfully requested this honorable Court invoke its jurisdiction pursuant to Florida Rule of Appellate Procedure 1.540(b), 1.420(b), 9.030(a) to take jurisdiction of this case, vacate the decision of the First DCA, and void Final Summary Judgment to Foreclose; pursuant to the lack of subject matter jurisdiction, due process violations, and extraordinary circumstances, including the extreme hardship and injustice of laying the burden of an erroneous claim of four or more years of, alleged, HOA fees plus those assessed by Oakleaf Plantation's Homeowners' Association at more than four times the rate of previous owners on Petitioner.

Said action is necessary to eliminate the aforesaid discriminatory practices and mind-boggling assessments that have, since, more than doubled and to (thereby) accomplish justice under these most extraordinary circumstances.

<sup>2</sup>"On August 10, 2010, Thompson purchased a condominium unit...". In fact, said unit was purchased by <sup>3</sup>"Dari Homes, LLC... (1/3 interest); GBW Holdings, LLC... (1/3 interest); and Designer Homes of Florida, LLC... (1/3 interest); c/o Glenn Mee, Esq... to whom the property was sold...".



### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished Cristine Russell, Rogers Towers, P.A., 1301 Riverplace Blvd, Suite 1500, JAX, FL 32207, by U.S. Postal service and email on this 25th day of July 2013.

### **CERTIFICATE REGARDING FONT**

The undersigned further certifies the font used herein is Times New Roman 14-point, in accordance with Rule 9.210(a)(2), Florida Rules of Appellate Procedure.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Connie C. Thompson', written over a horizontal line.

Connie C. Thompson, pro se  
785 Oakleaf Plantation Pkwy, #1423  
Orange Park, Florida 32065  
Cthom\_online@yahoo.com  
(617)894-9837

**IN THE SUPREME COURT OF FLORIDA  
STATE OF FLORIDA**

**FILED**  
THOMAS D. HALL

2013 JUL 30 PM 1:55

CLERK, SUPREME COURT

CONNIE MCCALLUM-THOMPSON,

BY \_\_\_\_\_

Petitioner,

SC CASE NO.: SC13-1243  
Lower Tribunal No(s): 1D12-3139,  
2011-CA-1059

vs.

THE PRESERVE AT OAKLEAF PLANTATION  
CONDOMINIUM ASSOCIATION, INC., et al

Respondent

\_\_\_\_\_ /

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**APPENDIX TO PETITIONERS' JURISDICTIONAL  
BRIEF**

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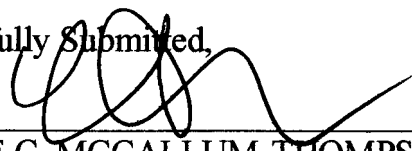


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Orange Park, FL 32065  
Tel: (617) 894-8937

**INDEX OF APPENDIX TO PETITIONERS' JURISDICTIONAL  
BRIEF**


- A. Conformed Copy of First District Court of Appeal's Decision in Thompson v. Oakleaf Plantation Homeowners' Association, et al
- B. "Newly discovered evidence", pursuant to Florida Rule of Civil Procedure 1.540(b):
  - a. Copy of "The Preserve at Oakleaf Plantation" payment coupon book cover with Petitioner's name but addressed to previous owner's who were "the highest and best bidder for cash" at the foreclosure on August 10, 2010; contrary, again, to Respondent's claim and supporting documents.
  - b. Copy of two actual coupons, dated May and June 2013 with "note", but (again) addressed to previous owners, as indicated on the attached "Certificate of Sale" (Appendix No. 3) included with Petitioner's Motion to Compel Complete Transcript below.
  - c. Copy of envelope, from Designer Homes II LLC, containing the aforesaid "payment coupon book" and bearing the same address noted on the aforesaid "actual coupons" and "payment coupon book"; showing Petitioner was never billed at her own documented address and, thereby, did not receive due process.
- C. Petitioner's Motion to Compel Complete Transcript, dated January 10, 2013, containing relevant documents in related appeal

Respectfully Submitted,

  
\_\_\_\_\_  
CONNIE C. MCCALLUM-THOMPSON  
785 Oakleaf Plantation Blvd, #1423  
Orange Park, Florida 32065  
(617)894-9837

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing appendix has been furnished Cristine M. Russell, Rogers Towers, P.A., 1301 Riverplace Blvd, Suite 1500, Jacksonville, Florida 32207 on this 25th day of July, 2013; by U.S. Mail and electronic mail.

A handwritten signature in black ink, appearing to read 'Connie C. McCallum-Thompson', written over a horizontal line.

CONNIE C. MCCALLUM-THOMPSON

## **APPENDIX "A"**

**DISTRICT COURT OF APPEAL, FIRST DISTRICT**  
**2000 Drayton Drive**  
**Tallahassee, Florida 32399-0950**  
**Telephone No. (850)488-6151**

June 13, 2013

**CASE NO.: 1D12-3139**  
**L.T. No.: 2011-1059-CA**

Connie McCallum-Thompson

v.

The Preserve At Oakleaf Plantation  
etc., et al.

---

Appellant / Petitioner(s),

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

Appellant's motion to vacate final judgment, dismissing appellee's claim for misrepresentation or other misconduct and, alternatively, for stay of foreclosure proceedings pending petition for writ of certiorari, filed June 5, 2013, is denied.

**I HEREBY CERTIFY** that the foregoing is (a true copy of) the original court order.

Served:

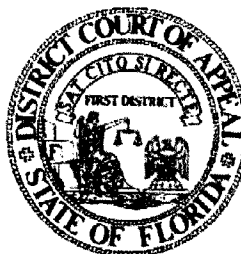
Cristine M. Russell

William S. Frazier

Connie McCallum-Thompson

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JON S. WHEELER, CLERK



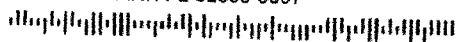
## **APPENDIX "B"**

THE PRESERVE AT OAK LEAF PLANTATION CA  
STELLAR PROPERTIES OF NORTH FLORIDA, INC  
200 HART AVENUE  
ORANGE PARK FL 32065

Unit No.  
OPRE1423  
OPRE1423

\* 0-366-6 000004346 058180-0000313-0000767482-0000137-012

CONNIE MCCALLUM THOMPSON  
PO BOX 65417  
ORANGE PARK FL 32065-0007



**BB&T Association Services**  
PAYMENT COUPON BOOK

UNIT NO.  
OPRE1423

Do not mail correspondence with your payment. For questions about your account, please contact your management company or association.

Look inside for important information on making your association payment. When available to the association, instructions are included in the coupon book on how to sign up for ACH, Association Pay, an automatic way to make your payment and instructions when making your payment using an online bill pay service.

*This was received by  
the office - please  
contact your management  
Association and  
have your address  
corrected.*

*Thank You  
J.E. FL  
Property Mgmt*

MAKE CHECKS PAYABLE TO  
THE PRESERVE AT OAK LEAF PLANTATION  
MAIL PAYMENT TO  
P O BOX 628207  
ORLANDO, FL 32862-3207

000001-00001-001

PAYMENT NO.	BILL PAY ACCOUNT NO.	SERIAL NO.	ASSOC. NO.	UNIT NO.	DUE DATE	AMOUNT DUE
5	15005056331	OPRE1423	00001	OPRE1423	05-01-13	\$254.00

CONNIE MCCALLUM THOMPSON  
PO BOX 65417  
ORANGE PARK FL 32065

AMOUNT ENCLOSED \$

CHECK NO.

MONTHLY ASSESSMENTS

785-1 OAKLEAF PLANT PWKY 423

89207150050563310PRE1423110000187145399900000254004

PAYMENT NO.	BILL PAY ACCOUNT NO.	SERIAL NO.	ASSOC. NO.	UNIT NO.	DUE DATE	AMOUNT DUE
6	15005056331	OPRE1423	00001	OPRE1423	06-01-13	\$254.00

CONNIE MCCALLUM THOMPSON  
PO BOX 65417  
ORANGE PARK FL 32065

AMOUNT ENCLOSED \$

CHECK NO.

MONTHLY ASSESSMENTS

785-1 OAKLEAF PLANT PWKY 423

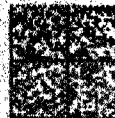
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**Designer Homes, LLC**

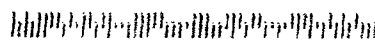
P.O. Box 85417

Orange Park, FL 32065

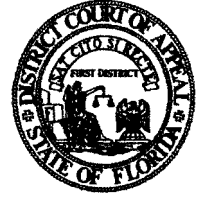


UNITED STATES POSTAGE  
EAGLE  
REGISTERED MONEY ORDER  
\$000.65  
9876543210 APR 24 2001  
FBI - NEW YORK

Carrie Thompson  
 785-1 Oakleaf Plantation Pkwy  
 # 423  
 Orange Park, FL 32065



## **APPENDIX "C"**



IN THE DISTRICT COURT OF APPEAL  
OF THE STATE OF FLORIDA  
FIRST DISTRICT

CONNIE MCCALLUM-  
THOMPSON,

Petitioner

vs.

Lower Tribunal No(s): 1D12-3660  
2011-1059-CA

THE PRESERVE AT  
OAKLEAF PLANTATION,  
ETC., ET AL.

Respondent

---

**MOTION TO COMPEL COMPLETE TRANSCRIPT OR,  
ALTERNATIVELY, TO SUPPLEMENT THE RECORD**

COMES NOW the Petitioner, CONNIE MCCALLUM-THOMPSON ("Appellant"), pursuant to Fla.R.App.P.9.200(f)(2), and respectfully moves the Court to compel the lower tribunal for issuance of a complete transcript or, alternatively, for an order allowing Appellant to supplement the record on appeal. In support thereof, Appellant states:

1. When the aforesaid record was prepared, initially, Appellant did not receive a copy (R: Vol II, p 00381); subsequently, a cursory review of the recital submitted January 4, 2012) shows a partial transcript, contrary to Appellant's instructions to the clerk (R: Vol I, p. 00136; Vol II, p. 00252; and App. No. 1, dated December 13, 2012)<sup>1</sup> and, clearly, insufficient to address the issues on appeal.

## I. NOTICE OF APPEAL

2. For example, while the record indicates a “Notice of Appeal has not been filed with our office” (R: Vol. 1, p. 143; dated March 6, 2012), conflicts abound (R: Vol. 1, pp. 00134 and 00162) in that Appellee has (consistently) claimed even in its Answer Brief that Appellant had *not* “timely” filed said notice<sup>2</sup>; thereby, excluding the aforesaid record (See App. No. 2) showing said document was, indeed, “HD TO [the] 4<sup>th</sup> DISTRICT” [timely] on February 21<sup>st</sup>, 2012 (though, again, reportedly filed on “February 23<sup>rd</sup>” (R: Vol. 1, pp. 190-192)) is a discrepancy Appellant, clearly, has cause to believe might render the record inadequate or, otherwise, insufficient to ameliorate the harsh consequences to Appellant of both an improper Summary Judgment and a corresponding review should the aforesaid motion be denied.

## II. CERTIFICATE OF SALE

3. That according to Appellee’s counsel, on May 20, 2011, “anybody who buys the property owes the dues” (R: Vol. 1, p. 00096)<sup>3</sup>, pursuant to Florida statutes (R: Vol. 1, pp 00040-00041, para H; and R: Vol. 1, p. 00031, para 10)<sup>3,4</sup>.

<sup>4</sup>“please forward the full record, including but not limited to *all* documents and exhibits filed in the circuit court regarding the above entitled matter to the Clerk of the First District Court of Appeal; pursuant to Rule 9.200, *excluding none*.”

<sup>2</sup>“The prior appeal of the summary final judgment was not timely, and this subsequent appeal does not present any issue on appeal separate and apart from the summary final judgment.”

<sup>3</sup>“A Unit owner, regardless of how his or her title has been acquired...is liable for all assessments which come due *while* he or she is the unit owner...”

Consequently, Appellant parts company with the aforesaid claim, noting while the record shows Appellant has not contested the aforesaid law<sup>3</sup> regarding her *own* association dues, "which come due *while...*she is the unit owner..."<sup>3</sup>, stating:

"upon being made aware of these fees (clearly) we would like to began paying the above noted monthly assessment of \$245.00; until such time as the entire matter can be resolved" (R: Vol. 1, p. 00099, dated May 17, 2011, 7:02 AM) and "to who do we make said payment of [our own] monthly fees?" (R: Vol. 1, p. 00099)

Appellee, on the other hand, targets Appellant's homestead for both the *paid* and allegedly *unpaid* fees of previous owners "up to the time of transfer of title..." at foreclosure, on August 10, 2010; under the color of law<sup>4</sup>.

Thereby, Appellant submits only a complete transcript or, alternatively, allowing supplements to said record will do as both the aforesaid allowance of Summary Judgment, a (subsequent) property bond imposed against the indigent Appellant, under the circumstances, and said missing papers demonstrate the negative impact of discrepancies, perceived or otherwise, to Appellant throughout this matter; based (solely) on Appellee's erroneous claims Appellant "took title" of her homestead "on August 30, 2010 resulting from a foreclosure sale at which [Appellant] was the high bidder..." (R: Vol. 1, p. 003; para 8) and that as informed by Appellee's counsel "the property records show that [Appellant] bought the property at the foreclosure sale and not from anyone else" (R: Vol. 1, p. 00097);

---

<sup>4</sup>"Additionally, a unit owner is jointly and severally liable with the previous owner for all unpaid assessments that come due *up to* the time of transfer of title..."

though there was *no* foreclosure sale scheduled for the aforesaid property on either the date Appellant purchased her homestead or on August 30, 2010.

That, in fact, “the [excluded] property records show” said “foreclosure sale” and “transfer of title”<sup>4</sup> actually occurred on August 10, 2010 and that (indeed) the aforesaid claim is based on “assessments that came due *up to* the time of transfer of title”<sup>4</sup>, again, on the aforesaid date of August 10, 2010, pursuant to Florida Statutes (R: Vol. 1, p 0041)<sup>4</sup>, statements made in Appellee’s initial claim letter to Appellant (R: Vol. II, p 00225), and according to the aforesaid statement by Appellee’s counsel that “anybody who buys the property owes the dues”, which did not come due “while”<sup>3</sup> Appellant was the “unit owner”<sup>3</sup> but *prior* to; which supports Appellant’s defense that said claim by Appellee is inherently erroneous in that the previous and “successful purchaser at the foreclosure sale”, according to Appellee (R: Vol. II, p. 00225), again, on August 10, 2010 (See App. No. 3), assumes liability by law, as opposed to Appellant, as shown by both the date of Appellant’s payment (See App. No. 4, the continuation page referencing said property/payment (R: Vol 1, p 00102)) and the actual Certificate of Sale (See App. No. 3, dated August 10, 2010); ironically, excluded from the record though (clearly) provided the lower tribunal and noted in Appellant’s Motion to Vacate Final Judgment (R: Vol. 1, pp. 00139-00140; para 11 and 13, dated January 27<sup>th</sup>, 2012), citing “the conflict in dates between the foreclosure sale and the date of [Appellant’s]

purchase...” as shown in records submitted to the lower tribunal court and in Appellant’s Initial Brief (R: Vol. 1, pp. 00170-00171; Statement of the Facts, dated March 21, 2012).

Thereby, Appellant deems the aforesaid “papers” necessary to her affirmative defense in that said documents show conflicts by which the aforesaid Summary Judgment is, clearly, reversible as Appellee’s claims are indisputably erroneous.

### **III. DEFENDANT’S FINANCIAL AFFIDAVITS**

4. That while the aforesaid records include a “Certificate of Clerk” statement said record is “a Correct Transcript of the records of the case of PRESERVE AT OAKLEAF PLANTATION VS. CONNIE THOMPSON and a true and correct recital and a copy of *all such papers* and proceedings...as it appears from the records and files of my office” it is, in fact, neither a “correct recital” nor a complete record (R: Vol I, p. 00136 ; Vol. II, p. 252; and App. No. 1, dated December 13, 2012, “excluding none”) of “all such papers”; including but not limited to the following stamped “received” copies excluded from the record:

APPLICATION(S) FOR DETERMINATION OF CIVIL INDIGENT STATUS, dated “received” or (otherwise) referenced in the record on Oct 6, 2011; March 13, Jun 25, Jul 5, and Jul 30, 2012 (See App. No. 5 – 9); which Appellant deems necessary in comprehending the court’s assessment of fees, including but not limited to the aforesaid property bond of \$5,000.00, plus fees.

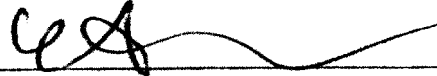
5. That as Appellant has the burden to furnish the necessary record, pursuant to the aforesaid "instructions to the clerk", a "full transcript" should be ordered; including but not limited to notices of returned mail notifications, along with the aforesaid papers and any other documents, as portions of the current transcript have (clearly) been excluded. Fla. R.App. P. 9.200(b)(1).

6. As authority for this motion, appellant relies on rule 9.200(f)(2), which provides in material part that "no proceeding shall be determined because the record is incomplete until an opportunity to supplement the record has been given." According to this rule, the court must allow the moving party an opportunity to supplement the record. *Starks v. Starks*, 423 So. 2d 452 (Fla. 1st DCA 1982); *Brice v. State*, 419 So. 2d 749 (Fla. 2d DCA 1982).

7. Appellant contacted appellee's counsel on January 8, to determine whether she has any objections to this motion. Appellee's counsel has stated she objects.

Wherefore, Appellant respectfully moves this honorable court for an order demanding the complete transcript or, alternatively, allowing her to supplement the record on appeal by including the aforesaid omitted papers.

Respectfully Submitted,



CONNIE C. MCCALLUM-THOMPSON

785 Oakleaf Plantation Blvd, #1423

Orange Park, Florida 32065

(617)894-9837



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished Attorney Cristine M. Russell, Rogers Towers, P.A., 1301 Riverplace Blvd, Suite 1500, Jacksonville, Florida 32207, by U.S. Postal Service and electronic email, on this 10th day of January, 2013.

  
\_\_\_\_\_  
CONNIE C. MCCALLUM-THOMPSON

**APPENDIX NO. "1"**

Subject: Instructions to the Clerk; mailed December 13, 2012

From: Connie Thompson (cthom\_online@yahoo.com)

To: jettj@clerk.co.clay.fl.us;

Date: Thursday, December 13, 2012 5:38 PM

December 13, 2012

Hon. James Jett, Clerk  
Clerk of Circuit Court  
825 N Orange Ave  
P.O. Box 698  
Green Cove Springs, FL 32043

RE: Connie Thompson v. The Preserve at Oakleaf Plantation etc. et al.  
Case Number: 1D12-3660; Lower Case Number: 2011-1059-CA

Dear Hon. James Jett, Clerk:

As Clerk of the Court, please forward the full and complete record, including but not limited to all documents and exhibits filed in the circuit court regarding the above entitled matter to the Clerk of the First District Court of Appeal; pursuant to Rule 9.200, excluding none.

The record should, also, include an index to the record on appeal; prepared and provided on or before January 4, 2012, as instructed by the 1DCA, in an effort to ensure a fair and extensive review.

I would ask that you, also, forward any transcripts regarding the matter, except my "verbal" request to have the hearing recorded was denied; therefore, please provide the aforesaid (again), "excluding none", including but not limited to Appellant's Motion for Telephonic Hearing.

Subsequently, your assistance is greatly appreciated. Should you have any questions, please feel free to contact me at (617)894-9837.

Sincerely,  
Connie Thompson

PS: While I have not been provided a copy of the record on appeal, prior to this request, I submit that you (also) supply me said copy in an effort to verify the full and complete record is being submitted to both the 1DCA and Supreme Court in their most pertinent review of this matter as it is my intent that we find out, definitively, why Summary Judgment to Foreclose was allowed.

**"Blessed is he who comes in the name of the Lord"**  
**Psalm 118:26; Matthew 21:9; Matthew 23:39; Mark 11:9; Luke 13:35;**  
**John 12:13**

**APPENDIX NO. "2"**



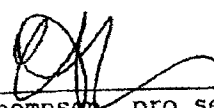
IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FL  
FIRST DISTRICT

Case No.: 2011-1059-CA

THE PRESERVE AT OAKLEAF )  
PLANTATION COMDOMINIUM )  
ASSOCIATION, INC., et al )  
Appellee, ) NOTICE OF APPEAL  
vs. )  
CONNIE THOMPSON )  
Appellant )

NOTICE IS GIVEN that Connie Thompson, Appellant, appeals to  
the First District Court of Appeals the order of this court,  
rendered February 23, 2012; pursuant to Florida Rule 9.020(h);  
9.110(d), and 9.160(c). The nature of the order is a final order  
in foreclosure on summary judgment.

Dated the 21<sup>st</sup> day, February, 2012

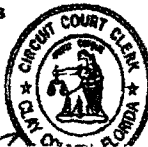
  
Connie Thompson, pro se  
785 Oakleaf Plantation Pkwy, #1423  
Orange Park, FL 32065  
(617)894-9837

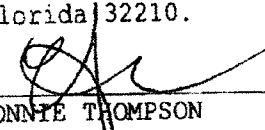
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of  
the above and foregoing pleading was mailed to William S.  
Frazier, Esquire, Appellee's attorney, on February 21, 2012 at  
1919 Blanding Blvd, Suite 8, Jacksonville, Florida 32210.

This red stamp and signature certifies  
this page document is a copy  
of the original on file in the office of:

James B. Jett  
Clerk of Circuit Court  
Clay County, Florida



  
CONNIE THOMPSON

HD To  
4th District  
2/28

**APPENDIX NO. "3"**

8/10/2010 1:45 PM James B. Jett Page 1

IN THE CIRCUIT COURT OF  
CLAY COUNTY, FLORIDA

CASE NO.: 2007-CA-001155  
DIVISION

Citimortgage Inc PLAINTIFF

VS

John Doe Pettibone; Jane Doe; Unknown Spouse; Adrienne Cairns; Oakleaf Plantation West Property  
Owners Associatio; Mortgage Electronic Registration Systems Inc; The Preserve At Oakleaf Plantation  
Condominium Ass DEFENDANT

CERTIFICATE OF SALE

The undersigned clerk of the court certifies that notice of public sale of the property described in the order or final judgment was published in Clay Today, a newspaper circulated in Clay County, Florida, in the manner shown by the proof of publication attached and on August 10, 2010, the property was offered for public sale to the highest and best bidder for cash. The highest and best bid received for the property was submitted by Dari Homes, LLC, 2185 Walker Glen Ln, Jacksonville Fl 32246 (1/3 interest); GBW Holdings, LLC, 1730 Kingsley Ave, Suite F, Orange Park Fl 32073 (1/3 interest); and Designer Homes of Florida, LLC, P O Box 65417, Orange Park Fl 32065 (1/3 interest); c/o Glenn Mee, Esq, P O Box 65417, Orange Park Fl 32065 to whom the property was sold for the amount of \$27,355.00. The proceeds of the sale are retained for distribution in accordance with the order or final judgment.

WITNESS my hand and the seal of this court on 8/10/2010

JAMES B. JETT  
As Clerk of the Court

(Seal)



BY:

*Amel Harrison*  
As Deputy Clerk

**APPENDIX NO. "4"**



--- On Mon, 8/16/10, CEE CEE <cbabygirl38@yahoo.com> wrote:

From: CEE CEE <cbabygirl38@yahoo.com>  
Subject: Wire \$32,772.83 to the following account for Real Estate Transaction  
To: martha.blay@afncr.af.mil  
Date: Monday, August 16, 2010, 11:29 AM  
WIRE TO:

WACHOVIA BANK  
1567 KINGSLEY AVENUE  
ORANGE PARK, FLORIDA 32073  
PHONE#: (904)278-1400

ABA#: 063000021

ACCT NAME:  
FLORIDA BAR IOTA BY  
THOMAS C. SANTORO  
1700 WELLS ROAD, SUITE 5  
ORANGE PARK, FLORIDA 32073  
PHONE#: (904)278-8713  
TRUST ACCOUNT II

ACCOUNT#: 2116420024972

IN FULL PAYMENT OF PURCHASE AGREEMENT, INCLUDING BUT  
NOT LIMITED TO COST AND FEES FOR THE FOLLOWING  
RESIDENTIAL PARCEL:

12-04-24-007869-026-63; LOCATED @ 785 Oakleaf Plantation,  
Bldg#14, Unit 1423 (Case# 2007-1155-CA); DEEDED TO Connie C.  
McCallum-Thompson

## **APPENDIX NO. "5"**

IN THE CIRCUIT/COUNTY COURT OF THE 4TH JUDICIAL CIRCUIT  
IN AND FOR CLAY COUNTY, FLORIDA

CASE NO. 11-CA-1059

Plaintiff/Petitioner or in the interest of

THE PRESERVE AT OAKLIFE (CONJ & MICHAEL-THOMPSON)

Defendant/Respondent

APPLICATION FOR DETERMINATION OF CIVIL INDIGENT STATUS

Notice to Applicant: If you qualify for civil indigence you must enroll in the clerk's office payment plan and pay a one-time administrative fee of \$25.00. This fee shall not be charged for Dependency or Chapter 39 Termination of Parental Rights actions.

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

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

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

Second Job No Yes \$ N/A  
Social Security benefits No Yes \$ 0  
For you No Yes \$ 0  
For child(ren) No Yes \$ 0  
Unemployment compensation No Yes \$ 0  
Union payments No Yes \$ 0  
Retirement/pensions No Yes \$ 0  
Trusts No Yes \$ N/A

Veterans' benefits No Yes \$ N/A  
Workers compensation No Yes \$ 0  
Income from absent family members No Yes \$ 0  
Stocks/bonds No Yes \$ 0  
Rental income No Yes \$ 0  
Dividends or interest No Yes \$ 0  
Other kinds of income not on the list No Yes \$ 0  
Gifts No Yes \$ N/A

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

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

Cash No Yes \$ 0  
Bank account(s) No Yes \$ 0  
Certificates of deposit or money market accounts No Yes \$ 0  
Boats No Yes \$ 0

Savings account No Yes \$ 0  
Stocks/bonds No Yes \$ 0  
Homestead Real Property No Yes \$ 0  
Motor Vehicle No Yes \$ 0  
Non-homestead real property/real estate No Yes \$ 0

\*show loans on these assets in paragraph 5

Check one X DO ( ) DO NOT expect to receive more assets in the near future. The asset is Household furniture, child support, travel expenses, vehicle placed in my name

5. I have total liabilities and debts of \$ 2000 as follows: Motor Vehicle \$ 2000 Home \$ 500 Other Real (TODDARE) Property \$ 600 Child Support paid direct \$ N/A Credit Cards \$ N/A Medical Bills \$ 2000 Cost of medicines (monthly) \$ 500 Other \$ 2000 or more (STUDENT LOAN)

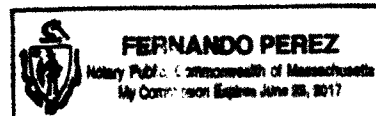
6. I have a private lawyer in this case. No Yes ( )

A person who knowingly provides false information to the clerk or the court in seeking a determination of indigent status under s. 57.082, F.S. commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S. or s. 775.083, F.S. I attest that the information I have provided on this application is true and accurate to the best of my knowledge.

Signed this 6th day of Oct, 20 11.  
Date of Birth 11/3/1976  
Driver's License or ID Number

Signature of Applicant for Indigent Status  
Print Full Legal Name CONJ & MICHAEL-THOMPSON  
Phone Number 617-874-7507

735 Oakleaf Plantation Blvd #1425, DP, FL 33065  
Address, P.O. Address, Street, City, State, Zip Code



CLERK'S DETERMINATION

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Clerk of the Circuit Court by \_\_\_\_\_

This form was completed with the assistance of \_\_\_\_\_  
Clerk/Deputy Clerk/Other authorized person.

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

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

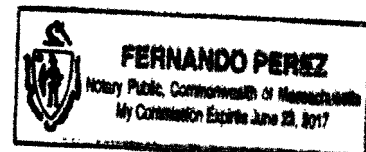
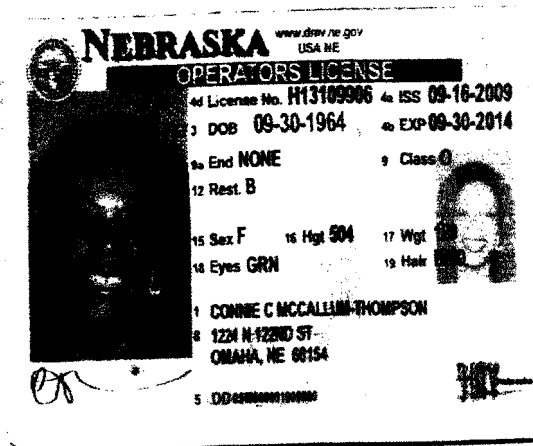
STATE OF MASSACHUSETTS  
COUNTY OF ESSEX

SWORN TO and subscribed before me  
day of October, 2011.

*Connie McCallum-Thompson* this 6th  
*[Signature]*  
Deputy Clerk/Notary Public

9/28/11

Complete every line on  
Application - have a  
notary sign on back of  
document - Make a  
copy of your driver's  
license and mail  
with counterclaim  
back to Clerk's office  
for processing, D.P.



**APPENDIX NO. "6"**

IN THE CIRCUIT/COUNTY COURT OF THE 4TH JUDICIAL CIRCUIT  
IN AND FOR CLAY COUNTY, FLORIDA

THE PRESERVE AT OAKLEAF

CASE NO. 11-CA-1059

Plaintiff/Petitioner or in the Interest Of

vs. CANDICE THOMPSON

Defendant/Respondent

**EMERGENCY MOTION TO STOP FORECLOSURE SALE**  
**APPLICATION FOR DETERMINATION OF CIVIL INDIGENT STATUS**

**Notice to Applicant:** If you qualify for civil indigence you must enroll in the clerk's office payment plan and pay a one-time administrative fee of \$25.00. This fee shall not be charged for Dependency or Chapter 39 Termination of Parental Rights actions. **THE COURTS HAVE CREATED CIRCUMSTANCES BY WHICH I CANNOT PAY!**

1. I have 0 dependents. (Include only those persons you list on your U.S. Income tax return.) NAMED CALEB AND SARAH THOMPSON  
Are you Married? Yes No Does your Spouse Work? Yes No Annual Spouse Income? \$ N/A

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

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

Second Job ..... Yes \$ N/A No  
Social Security benefits  
For you ..... Yes \$ 1 No  
For child(ren) ..... Yes \$ 1 No  
Unemployment compensation ..... Yes \$ 1 No  
Union payments ..... Yes \$ 1 No  
Retirement/pensions ..... Yes \$ 1 No  
Trusts ..... Yes \$ N/A No

Veterans' benefits ..... Yes \$ N/A No  
Workers compensation ..... Yes \$ 1 No  
Income from absent family members ..... Yes \$ 1 No  
Stocks/bonds ..... Yes \$ 1 No  
Rental income ..... Yes \$ 1 No  
Dividends or interest ..... Yes \$ N/A No  
Other kinds of income not on the list FOOD ALLOWANCE Yes \$ 200 No  
Gifts ..... Yes \$ N/A No

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

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

Cash ..... Yes \$ N/A No  
Bank account(s) ..... Yes \$ N/A No  
Certificates of deposit or money market accounts ..... Yes \$ N/A No  
Boats\* ..... Yes \$ N/A No

Savings account ..... Yes \$ N/A No  
Stocks/bonds ..... Yes \$ N/A No  
Homestead Real Property\* ..... Yes \$ 600K No  
Motor Vehicle\* NOT OPERABLE Yes \$ N/A No  
Non-homestead real property/real estate\* ..... Yes \$ N/A No

\*show loans on these assets in paragraph 5

Check one. I DO BUT ONLY IF I CAN GET THE COURTS TO ENFORCE LAWS, ORDERS; IT'S BEEN DIFFICULT  
DO NOT expect to receive more assets in the near future. The asset is HOUSEHOLD FURNISHINGS, CHILD SUPPORT, RETIREMENT, TRAVEL EXPENSES; VEHICLE PLACED IN MY NAME

5. I have total liabilities and debts of \$ 200K as follows: Motor Vehicle \$ 200 Home \$ 500 Other Real (STORAGE) Property \$ 600 Child Support paid direct \$ N/A Credit Cards \$ N/A Medical Bills \$ 2000 Cost of medicines (monthly) \$ 500  
Other \$ 2000 OR MORE STUDENT LOANS \*MOST (99% of these debts) INCURRED DUE 2 CHILD CUSTODY CASE

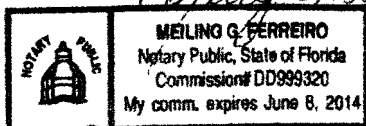
6. I have a private lawyer in this case ..... Yes No

A person who knowingly provides false information to the clerk or the court in seeking a determination of indigent status under s. 57.082, F.S. commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S. or s. 775.083, F.S. I attest that the information I have provided on this application is true and accurate to the best of my knowledge.

Signed this 13th day of March, 2012.  
9-30-104 H13109906  
Date of Birth Driver's License or ID Number

Signature of Applicant for Indigent Status  
Print Full Legal Name CANDICE C. MCCALUM-THOMPSON  
Phone Number: 617-894-9837

785 Oakleaf Plantation Pkwy Unit 1423  
Address, P.O. Address, Street, City, State, Zip Code  
Orange Park, FL 32067



HAND DELIVERED

**APPENDIX NO. "7"**

CASE NO. 11-CA-1059/1D12-0967

THE PRESERVE AT DAKLEAF PLANTATION CONDO ASSOC

Plaintiff/Respondent or in the interest of

vs. CONNIE MCCALLUM-THOMPSON

Defendant/Applicant

**APPLICATION FOR DETERMINATION OF CIVIL INDIGENT STATUS**

Notice to Applicant: If you qualify for civil indigence you must enroll in the clerk's office payment plan and pay a one-time administrative fee of \$25.00. This fee shall not be charged for Dependency or Chapter 39 Termination of Parental Rights actions.

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

2. I have a net income of \$ 0 paid ( ) weekly ( ) every two weeks ( ) semi-monthly ( ) monthly ( ) yearly ( ) other ( )  
N/A

(Net income is your total income including salary, wages, bonuses, commissions, allowances, overtime, tips and similar payments, minus deductions required by law and other court-ordered payments such as child support.)

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

Second Job No Yes \$ N/A  
Social Security benefits No Yes \$ 1  
For you No Yes \$ 1  
For child(ren) No Yes \$ 1  
Unemployment compensation No Yes \$ 1  
Union payments No Yes \$ 1  
Retirement/pensions No Yes \$ 1  
Trusts No Yes \$ N/A

Veterans' benefits No Yes \$ N/A  
Workers' compensation No Yes \$ 1  
Income from absent family members No Yes \$ 1  
Stocks/bonds No Yes \$ 1  
Rental income No Yes \$ 1  
Dividends or interest No Yes \$ 1  
Other kinds of income not on the 1st FOOD ACCESS Yes \$ 200  
Gifts No Yes \$ N/A

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

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

Cash No Yes \$ 100  
Bank account(s) No Yes \$ N/A  
Certificates of deposit or money market accounts No Yes \$ N/A  
Boats No Yes \$ N/A

Savings account No Yes \$ N/A  
Stocks/bonds No Yes \$ N/A  
Homestead Real Property No Yes \$ 60K  
Motor Vehicle NOT OPERABLE Yes \$ N/A  
Non-homestead real property/real estate No Yes \$ N/A

\*show loans on these assets in paragraph 5

Check one: ( ) DO NOT expect to receive more assets in the near future. The asset is HOUSEHOLD FURNISHINGS, CHILD SUPPORT RETIREMENT, TRAVEL EXP, VEHICLE PLACED IN MY NAME

5. I have total liabilities and debts of \$ 200K as follows: Motor Vehicle \$ 200, Home \$ 500, Other Real (STORAGE) Property \$ 6000, Child Support paid direct \$ N/A, Credit Cards \$ N/A, Medical Bills \$ 2000, Cost of medicines (monthly) \$ 0, Other \$ 2000 OR MORE (STUDENT LOANS) + 99% COURT IMPOSED DEBT TO NO AVAIL & DESPITE UNEMPLOYMENT SINCE 2008

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

A person who knowingly provides false information to the clerk or the court in seeking a determination of indigent status under s. 57.082, F.S. commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S. or s. 775.083, F.S. [attest that the information I have provided on this application is true and accurate to the best of my knowledge.]

Signed this 25<sup>th</sup> day of JUNE, 2012.  
913-1964  
Date of Birth 41310906  
Driver's License or ID Number

Signature of Applicant for Indigent Status  
Print Full Legal Name Connie McCallum-Thompson  
Phone Number (617-894-9837)

785 Oakleaf Plantation Blvd #1423, OP, FL 32065  
Address, P.O. Address, Street, City, State, Zip Code



## **APPENDIX NO. "8"**

IN THE CIRCUIT/COUNTY COURT OF THE 4TH JUDICIAL CIRCUIT  
IN AND FOR CLAY COUNTY, FLORIDA

THE PRESERVE AT OAKLEAF PLANTATION CONDO ASSOC.

CASE NO. 11-CA-1059

Plaintiff/Petitioner or in the interest of

vs. CONNIE MCCALLUM-THOMPSON

Defendant/Respondent

APPLICATION FOR DETERMINATION OF CIVIL INDIGENT STATUS

Notice to Applicant: if you qualify for civil indigence you must enroll in the clerk's office payment plan and pay a one-time administrative fee of \$25.00. This fee shall not be charged for Dependency or Chapter 39 Termination of Parental Rights actions.

1. I have 0 dependents. (Include only those persons you list on your U.S. Income tax return.) **BUT DO HAVE TWO UNDERAGE CHILDREN**  
Are you Married? Yes (No) Does your Spouse Work? Yes (No) Annual Spouse Income? \$ N/A

2. I have a net income of \$ 0 paid ( ) weekly ( ) every two weeks ( ) semi-monthly ( ) monthly ( ) yearly ( ) other N/A

(Net income is your total income including salary, wages, bonuses, commissions, allowances, overtime, tips and similar payments, minus deductions required by law and other court-ordered payments such as child support.)

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

Second Job ..... Yes \$ N/A (No)  
Social Security benefits ..... Yes \$ 0 (No)  
For you ..... Yes \$ 0 (No)  
For child(ren) ..... Yes \$ 0 (No)  
Unemployment compensation ..... Yes \$ 0 (No)  
Union payments ..... Yes \$ 0 (No)  
Retirement/pensions ..... Yes \$ 0 (No)  
Trusts ..... Yes \$ N/A (No)

Veterans' benefits ..... Yes \$ N/A (No)  
Workers compensation ..... Yes \$ 0 (No)  
Income from absent family members ..... Yes \$ 0 (No)  
Stocks/bonds ..... Yes \$ 0 (No)  
Rental income ..... Yes \$ 0 (No)  
Dividends or interest ..... Yes \$ N/A (No)  
Other kinds of income not on the list **FOOD ACCESS** ..... Yes \$ 2.00 (No)  
Gifts ..... Yes \$ N/A (No)

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

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

Cash ..... Yes \$ 15.00 (No)  
Bank account(s) ..... Yes \$ Approx \$100 (No)  
Certificates of deposit or money market accounts ..... Yes \$ N/A (No)  
Boats ..... Yes \$ N/A (No)

Savings account ..... Yes \$ N/A (No)  
Stocks/bonds ..... Yes \$ N/A (No)  
Homestead Real Property ..... Yes \$ 60K (No)  
Motor Vehicle\* **NOT OPERABLE** ..... Yes \$ N/A (No)  
Non-homestead real property/real estate\* ..... Yes \$ N/A (No)

\*show loans on these assets in paragraph 5

**HOWEVER, HAVE NOT BEEN ABLE TO GET COURTS TO ENFORCE ITS OWN ORDERS EVEN FOR CONTEMPT**  
Check one: I DO ( ) DO NOT expect to receive more assets in the near future. The asset is **HOUSEHOLD GOODS, CHILD SUPPORT, RETIREMENT; TRAVEL EXP; VEHICLE PLACED IN MY NAME**

5. I have total liabilities and debts of \$ 200K as follows: Motor Vehicle \$ 200, Home \$ 500, Other Real (STORAGE) Property \$ 1000, Child Support paid direct \$ N/A, Credit Cards \$ N/A, Medical Bills \$ 2000, Cost of medicines (monthly) \$ 0

Other \$ 2000 OR MORE (STUDENT LOANS) \* **99% COURT IMPOSED DEBT, UNDER THE COLOR OF LAW; DESPITE UNEMPLOYMENT SINCE 2003**

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

A person who knowingly provides false information to the clerk or the court in seeking a determination of indigent status under s. 57.082, F.S. commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S. or s. 775.083, F.S. I attest that the information I have provided on this application is true and accurate to the best of my knowledge.

Signed this 5 day of July, 2012  
Date of Birth 9-30-1964  
Driver's License or ID Number H131089000

Signature of Applicant for Indigent Status  
Print Full Legal Name CONNIE MCCALLUM-THOMPSON  
Phone Number: 617-894-9837

785 OAKLEAF PLANTATION BLVD #1423, OP, FL 32065  
Address, P O Address, Street, City, State, Zip Code

POST CARRASCO  
Notary Public, State of Florida  
Commission# 05832215  
My comm. expires Oct. 13, 2012

County of Duval  
On this 5 day of July 2012 personally appeared before me CONNIE MCCALLUM-THOMPSON produced

**APPENDIX NO. "9"**

IN THE CIRCUIT/COUNTY COURT OF THE 4th JUDICIAL CIRCUIT  
IN AND FOR CLAY COUNTY, FLORIDA

The Preserve at Oakleaf Plantation, Condominium Assoc. CASE NO. SC12-679; 2011-CA-1059  
Plaintiff/Petitioner or In the Interest Of

vs. Connie C. McCallum-Thompson  
Defendant/Respondent

**APPLICATION FOR DETERMINATION OF CIVIL INDIGENT STATUS**

**Notice to Applicant:** If you qualify for civil indigence you must enroll in the clerk's office payment plan and pay a one-time administrative fee of \$25.00. This fee shall not be charged for Dependency or Chapter 39 Termination of Parental Rights actions.

1. I have 0 dependents. (Include only those persons you list on your U.S. Income tax return.) plus two children: Caleb, Serin  
Are you Married?...Yes (No) Does your Spouse Work?...Yes...No Annual Spouse Income? \$ N/A
2. I have a net income of \$ 0 paid ( ) weekly ( ) every two weeks ( ) semi-monthly ( ) monthly ( ) yearly ( ) other

(Net income is your total income including salary, wages, bonuses, commissions, allowances, overtime, tips and similar payments, minus deductions required by law and other court-ordered payments such as child support.)

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

Second Job ..... Yes \$ N/A (No)  
Social Security benefits  
For you ..... Yes \$ N/A (No)  
For child(ren) ..... Yes \$ N/A (No)  
Unemployment compensation ..... Yes \$ N/A (No)  
Union payments ..... Yes \$ N/A (No)  
Retirement/pensions ..... Yes \$ N/A (No)  
Trusts ..... Yes \$ N/A (No)

Veterans' benefits ..... Yes \$ N/A (No)  
Workers compensation ..... Yes \$ N/A (No)  
Income from absent family members ..... Yes \$ N/A (No)  
Stocks/bonds ..... Yes \$ N/A (No)  
Rental income ..... Yes \$ N/A (No)  
Dividends or interest ..... Yes \$ N/A (No)  
Other kinds of income not on the list Food Asst. Yes \$ 200 (No)  
Gifts ..... Yes \$ N/A (No)

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

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

Cash ..... Yes \$ 0 (No)  
Bank account(s) ..... Yes \$ 0 (No)  
Certificates of deposit or money market accounts ..... Yes \$ 0 (No)  
Boats ..... Yes \$ 0 (No)

Savings account ..... Yes \$ N/A (No)  
Stocks/bonds ..... Yes \$ N/A (No)  
Homestead Real Property Currently in foreclosure Yes \$ 60K (No)  
Motor Vehicle ..... Yes \$ N/A (No)  
Non-homestead real property/real estate ..... Yes \$ N/A (No)

\*show loans on these assets in paragraph 5

Check one: I ( ) DO X DO NOT expect to receive more assets in the near future. The asset is \_\_\_\_\_

5. I have total liabilities and debts of \$20K as follows: Motor Vehicle \$ N/A, Home \$27K approx, Other Real Property \$ N/A, Child Support paid direct \$ N/A, Credit Cards \$ N/A, Medical Bills \$ 6000, Cost of medicines (monthly) \$ varies, Other \$2-3K Student loans; Bond Loan \$5,090; loans to help in child custody case \$20K

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

A person who knowingly provides false information to the clerk or the court in seeking a determination of indigent status under s. 57.082, F.S. commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S. or s. 775.083, F.S. I attest that the information I have provided on this application is true and accurate to the best of my knowledge.

Signed this 30th day of July, 2012  
9-30-64  
Date of Birth Driver's License or ID Number

Connie C. McCallum-Thompson  
Signature of Applicant for Indigent Status  
Print Full Legal Name Connie C. McCallum-Thompson  
Phone Number 617-394-9837

785 Oakleaf Plantation Blvd #1423, 09, FL 32045  
Address, P O Address, Street, City, State, Zip Code

13:01 HW 05 700 2102