IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT, IN AND FOR ALACHUA COUNTY, FLORIDA

CASE NO.: 01-2008- CA-508

STEPHEN CARROLL BARNETT

Plaintiff,

VS.

CITY OF GAINESVILLE, a Florida Municipal Corporation

Defendant



## **SUMMONS**

THE STATE OF FLORIDA:

To all and singular sheriffs of said state:

YOU ARE HEREBY COMMANDED to serve this Summons and a copy of the Amended Complaint or Petition in the above styled cause upon the Defendant:

City of Gainesville, A FL MUNICIPAL CORP. C/O Honorable Pegeen Hanrahan, Mayor City of Gainesville
200 E. University Avenue
Gainesville, FL 32602-0490

The Defendant is hereby required to serve written Defenses to said Complaint or Petition on

PAUL R. LINDER, ESQUIRE

GRIFFIN, LINDER, P.A.

PAUL R. LINDER, ESQUIRE GRIFFIN, LINDER, P.A. 28 E. Washington Street Orlando, FL 32801-0000 (407)425-2518 Attorneys for Plaintiff

within twenty (20) days after service of this Summons upon you, exclusive of the day of

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service, and to file the original of said written defenses with the clerk of said court either before service on Plaintiff's attorney or immediately thereafter. If you fail to do so, a default will be entered against you for the relief demanded in the complaint or Petition.

WITNESS my hand and the seal of this Court on the 6 day of 7. Lucy 2007. 2008



J.K. "BUDDY" IRBY
Clerk of the Circuit Court

By: D. Thomas

As Deputy Clerk

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING A SPECIAL ACCOMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT COURT ADMINISTRATION AT 201 E. UNIVERSITY AVE., GAINESVILLE, FL 32601, TELEPHONE (352) 374-3616, NOT LATER THAN SEVEN (7) DAYS PRIOR TO THE PROCEEDING. IF HEARING IMPAIRED, (TTD) 1-800-955-8771 OR VOICE(V) 1-800-955-8770 VIA FLORIDA RELAY SERVICE.

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## **COMPLAINT**

Plaintiff, Stephen Carroll Barnett, by and through his undersigned attorneys, sues Defendant City of Gainesville, a Florida Municipal Corporation, and alleges as follows:

- 1. This is an action for damages in excess of FIFTEEN THOUSAND (\$15,000.00) DOLLARS exclusive of interest and costs.
  - 2. Defendant, City of Gainesville is a Florida Municipal corporation.
- 3. The Police Department, its Chief of Police, and its Police Officers are all employees of the City of Gainesville and at the time relevant hereto were acting in such capacity.
- 4. Plaintiff has sent Defendant a sovereign immunity notice pursuant to Florida Statute 768.28 dated February 9, 2007. All other conditions precedent to this action have been performed or excused.
- 5. On or about September 2, 2006, Plaintiff was arrested by Officer David J. Reveille, of the Gainesville Police Department at the University of Florida football game and charges with resisting or obstructing a law enforcement officer without violence.

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6. Plaintiff was taken into custody and transported to the Gainesville Police Department where he was strip searched. Plaintiff was released late in the evening after posting bond. Thereafter, the State Attorney in and for Alachua County filed a Case Action Report "No

7. At the aforesaid time and place, the City of Gainesville Police Department had liability for the actions of Officer Reveille as alleged above pursuant to Florida Statute 768.28.

8. Officer Reveille caused Plaintiff to be arrested without probable cause.

9. As a direct and proximate result of the actions of Defendant and Officer Reveille as alleged above, Plaintiff has suffered damages, including severe emotional distress, embarrassment, loss of capacity for enjoyment of life, and has incurred expenses, including attorney's fees and the expense of the bond referenced above.

WHEREFORE, Plaintiff demands that this Court award damages, interest, costs, and a trial by jury.

Dated this

day of

Information dismissing all charges".

, 2007.

GRIFFIN & LINDER, P.A. 28 East Washington Street Orlando, FL 32801-0000 (407)425-2518

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Attorneys for Plaintiffs

PAUL R. EINDER

Florida Bar # 348341