

LEGISTAR NO.

140082

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

**CORNELIUS MINAFIELD and
EULA DANIELS,**

**Case No.: 2014-CA-1958
Div.:**

Plaintiff,

vs.

**CITY OF GAINESVILLE and
SANDY L. TEASLEY,**

Defendants.

COMPLAINT

COME NOW the Plaintiffs, **CORNELIUS MINAFIELD and EULA DANIELS**, by and through their undersigned attorneys, and sues the Defendants, The **CITY OF GAINESVILLE**, Florida, a municipal corporation; and **SANDY L. TEASLEY**, and alleges as follows:

JURISDICTION AND VENUE

1. This is an action for damages in excess of Fifteen Thousand Dollars (\$15,000.00), exclusive of costs and interest.
2. Prior to filing of this Complaint, Defendant, The **CITY OF GAINESVILLE**, was served notice of this claim pursuant to Florida Statutes, Section 768.28. Over 180 days have elapsed since service of Plaintiff's Notice of Administrative Claim. Attached hereto as Exhibit "A" is a copy of the Notice of Claim.
3. The events giving rise to this complaint occurred on November 25, 2012 in Alachua County, Florida.

4. This is an action for money damages for injuries suffered by Plaintiffs, **CORNELIUS MINAFIELD** and **EULA DANIELS**, as a result of negligent conduct by **SANDY L. TEASLEY**.

5. At all times material hereto, Plaintiffs, **CORNELIUS MINAFIELD** and **EULA DANIELS** was residents of Gainesville, Alachua County, Florida and entitled to the protections of the laws of the State of Florida.

6. At that time and place, Defendant, **SANDY L. TEASLEY**, acting within the course and scope of her employment for Defendant, City of Gainesville was operating a motor vehicle.

COUNT I
PLAINTIFF CORNELIUS MINAFIELD'S CLAIM OF
NEGLIGENCE AGAINST SANDY TEASLEY

Plaintiff, **CORNELIUS MINAFIELD**, realleges and incorporates by reference each and every allegation contained in Paragraphs 1 through 6 above, and further states:

7. At that time and place, Defendant, **SANDY L. TEASLEY**, negligently operated her motor vehicle when she ran a red light and struck the driver's front bumper of the vehicle that Plaintiff was a restrained passenger in.

8. As a direct and proximate cause of Defendant's negligence, Plaintiff suffered or incurred:

- a. significant and permanent loss of an important bodily function and/or permanent and significant scarring;
- b. permanent injury within a reasonable degree of medical probability other than scarring or disfigurement;
- c. aggravation or activation of an existing disease or physical defect;
- d. pain, suffering, disability, physical impairment, mental anguish, inconvenience, and a loss of capacity for the enjoyment of life;

- e. expenses of medical care and treatment in the past and in the future;
and
- f. loss of wages and/or loss of earning capacity in the future.

All losses are continuing and/or permanent. Plaintiff will suffer or incur the injuries, expenses and impairment in the future.

WHEREFORE, Plaintiff, **CORNELIUS MANIFIELD**, demands judgment for damages against Defendant, **SANDY L. TEASLY**, and other such relief deemed proper by the Court. Plaintiff also demands a jury trial on all issues so triable.

COUNT II

CLAIM AGAINST DEFENDANT, CITY OF GAINESVILLE (Vicarious liability)

Plaintiff realleges and incorporates paragraphs 1-6, and further states:

- 9. Defendant, **CITY OF GAINESVILLE**, is vicariously liable for the negligence of Defendant, **SANDY L. TEASLY**, pursuant to the Florida Dangerous Instrumentality Doctrine.
- 10. Defendant, **CITY OF GAINESVILLE**, is vicariously liable for the negligence of Defendant, **SANDY L. TEASLY**, as an employee in the course and scope of his employment at the time of the accident.
- 11. As a direct and proximate cause of Defendant's negligence, Plaintiff suffered or incurred:
 - a. significant and permanent loss of an important bodily function and/or permanent and significant scarring;
 - b. permanent injury within a reasonable degree of medical probability other than scarring or disfigurement;
 - c. aggravation or activation of an existing disease or physical defect;
 - d. pain, suffering, disability, physical impairment, mental anguish, inconvenience, and a loss of capacity for the enjoyment of life;

- e. expenses of medical care and treatment in the past and in the future;
and
- f. loss of wages and/or loss of earning capacity in the future.

All losses are continuing and/or permanent. Plaintiff will suffer or incur the injuries, expenses and impairment in the future.

WHEREFORE, Plaintiff, CORNELIUS MANIFIELD, demands judgment for damages against Defendant, CITY OF GAINESVILLE, and other such relief deemed proper by the Court. Plaintiff also demands a jury trial on all issues so triable.

COUNT III
PLAINTIFF EULA DANIELS' CLAIM OF
NEGLIGENCE AGAINST SANDY L. TEASLEY

Plaintiff, **EULA DANIELS**, realleges and incorporates by reference each and every allegation contained in Paragraphs 1 through 6 above, and further states:

12. At that time and place, Defendant, **SANDY L. TEASLEY**, negligently operated her motor vehicle when she ran a red light and struck the driver's side front bumper of the vehicle that Plaintiff was operating.

13. As a direct and proximate cause of Defendant's negligence, Plaintiff suffered or incurred:

- a. significant and permanent loss of an important bodily function and/or permanent and significant scarring;
- b. permanent injury within a reasonable degree of medical probability other than scarring or disfigurement;
- c. aggravation or activation of an existing disease or physical defect;
- d. pain, suffering, disability, physical impairment, mental anguish, inconvenience, and a loss of capacity for the enjoyment of life;
- e. expenses of medical care and treatment in the past and in the future;
and
- g. loss of wages and/or loss of earning capacity in the future.

All losses are continuing and/or permanent. Plaintiff will suffer or incur the injuries, expenses and impairment in the future.

WHEREFORE, Plaintiff, **EULA DANIELS**, demands judgment for damages against Defendant, **SANDY L. TEASLY**, and other such relief deemed proper by the Court. Plaintiff also demands a jury trial on all issues so triable.

COUNT IV

CLAIM AGAINST DEFENDANT, CITY OF GAINESVILLE (Vicarious liability)

Plaintiff realleges and incorporates paragraphs 1-6, and further states:

14. Defendant, **CITY OF GAINESVILLE**, is vicariously liable for the negligence of Defendant, **SANDY L. TEASLY**, pursuant to the Florida Dangerous Instrumentality Doctrine.

15. Defendant, **CITY OF GAINESVILLE**, is vicariously liable for the negligence of Defendant, **SANDY L. TEASLY**, as an employee in the course and scope of her employment at the time of the accident.

16. As a direct and proximate cause of Defendant's negligence, Plaintiff suffered or incurred:

- a. significant and permanent loss of an important bodily function and/or permanent and significant scarring;
- b. permanent injury within a reasonable degree of medical probability other than scarring or disfigurement;
- c. aggravation or activation of an existing disease or physical defect;
- d. pain, suffering, disability, physical impairment, mental anguish, inconvenience, and a loss of capacity for the enjoyment of life;
- e. expenses of medical care and treatment in the past and in the future; and
- f. loss of wages and/or loss of earning capacity in the future.

All losses are continuing and/or permanent. Plaintiff will suffer or incur the injuries, expenses and impairment in the future.

WHEREFORE, Plaintiff, **EULA DANIELS**, demands judgment for damages against Defendant, **CITY OF GAINESVILLE**, and other such relief deemed proper by the Court. Plaintiff also demands a jury trial on all issues so triable.

Respectfully submitted this 2nd day of June, 2014.

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