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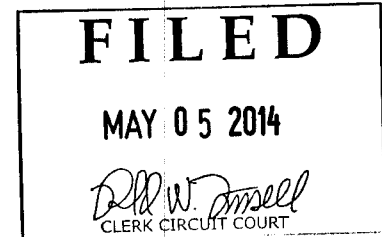
IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR DUVAL COUNTY, FLORIDA

Case No.: 16-2014-CA-002453
Division: CV-E

NICHOLAS JONES,
Plaintiff,

vs.

URIAH JONES & AMBER LACINAK-JONES,
Defendants.



MOTION TO DISMISS PLAINTIFF'S COMPLAINT WITH PREJUDICE,
MOTION TO STRIKE SHAM PLEADINGS &
MOTION FOR SUMMARY JUDGMENT

COMES NOW, the Defendants, URIAH JONES & AMBER LACINAK-JONES, and in accordance with Florida Rules of Civil Procedure 1.140(b), (f) and 1.510 (b), hereby file this Motion to Dismiss Plaintiff's Complaint for failing to state a cause of action, Motion to Strike Sham Pleadings and Motion for Summary Judgment, and Defendants state the following:

FACTUAL AND PROCEDURAL BACKGROUND

1. On April 8, 2014 the Plaintiff, Nicholas Jones filed a Complaint against the Defendants and service of process was received on April 15, 2014.
2. That the Plaintiff has not recorded the Lis Pendens filed with this lawsuit and pursuant to FL. Stat. § 48.23 1(a), the Plaintiff's Lis Pendens is not valid.
3. That the Plaintiff has submitted into evidence a copy of the following: an invalid Rental Lease Agreement, a properly prepared and recorded Quit Claim Deed and a properly prepared Durable Power of Attorney.

4. That the Plaintiff willfully signed a Quit Claim Deed, for the property located at 13983 Summer Breeze Dr. in Jacksonville Florida, 32218, on September 14, 2011, in the legal manner described by FL Stat. § 689.01.

5. That the Defendant, Amber Lacinak-Jones was not a party to the initial transfer of property, as proven by the Plaintiff's filing.

6. That the Plaintiff was indebted to the Defendants for many thousands of dollars, as page 3 of the Rental Lease proves.

7. That the Defendants have five years to enforce their contract with the Plaintiff according to FL Stat. § 95.11(2)(b), yet the Defendants have forgone any action to this date.

8. That the Defendants have invested tens of thousands of dollars into repairing the above mentioned property, which had been abandoned by the Plaintiff.

9. That the Defendants have paid thousands of dollars to the Homeowners Association for the previous owner's fines, fees and charges.

10. That the defendants prevented foreclosure of the property by the Homeowners Association, which was due to the Plaintiff's failure to meet his financial obligations.

11. That the Defendants are currently involved in litigation with the Homeowners Association, due to the prior owners' mishandling of the property.

12. That the Defendants have paid over six thousand dollars in back property taxes, which the Plaintiff left unpaid.

13. That the Defendants have three separate police reports showing the theft and threats that the Plaintiff has committed against the Defendant's.

ALLEGATIONS

14. That all claims made by the Plaintiff in Counts I - IV, or paragraphs 3-33, which were not addressed, are false, or misrepresentations of facts and denied in their entirety.

15. That the Plaintiff has filed sham pleadings because the statements contained therein are scandalous in nature and the Defendants demand strict proof.

16. That the Plaintiff has not stated a cause of action, and the filing is so vague and ambiguous that the Defendant's cannot properly frame a response.

WHEREFORE, the Defendants **URIAH JONES & AMBER LACINAK-JONES**, respectfully request this Court to:

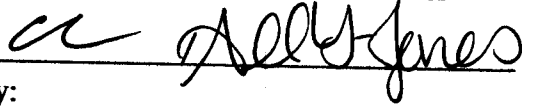
- A. Enter an Order granting this Motion to Dismiss the Plaintiff's Complaint with extreme prejudice, for failing to state a cause of action.
- B. Enter an order granting the Motion to Strike the Plaintiff's Sham Pleadings.
- C. Expunge the Plaintiff's entire filing from the record.
- D. Grant Summary Judgment based on the pleadings.
- E. Hold the Plaintiff responsible for fees and court costs.
- F. Remove Defendant Amber Lacinak-Jones from any future Court proceedings, if necessary, as allowed by FL Rules of Civil Procedure 1.250 (b), Dropping parties.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of these Motions have been sent to the Plaintiff, Nicholas Jones, who resides at Dayspring Village Assisted Living Facility, 554820 U.S.1 Hilliard, Florida 32046, via U.S. Mail, this 5th day of May, 2014.

Date: 05/05/2014

Uriah Jones & Amber Lacinak-Jones



By:

Uriah Jones & Amber Lacinak-Jones

13983 SUMMER BREEZE DR.

JACKSONVILLE, FL 32218

Telephone: (561) 262-5031

Email: mrjones27@comcast.net

Defendants

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