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

ELIAS MAKERE, FSA, MAAA)

Plaintiff,)

)

vs.)

Case No (LT): 2021-CA-002763-XXXX

)

Division: CV-B

HON. E. GARY EARLY, ALJ)

Defendant,)

MOTION FOR FINAL JUDGMENT AFTER DEFAULT

Plaintiff, ELIAS MAKERE, on this 25th day of June 2021, hereby moves this Honorable Court - pursuant to Rule 1.500(e) Fla. R. Civ. P. - to enter **Final Judgment** against Defendant, HON. E. GARY EARLY, ALJ.

Key Points:

A.) Points failure to answer

B.) Grounds default entered

Table of Contents:

Context	2 nd Page
Motion	3 rd Page
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Background: Plaintiff served Defendant with this lawsuit
Problem: Defendant failed to answer
Request: Court enters Default Final Judgment against Defendant

Rule 1.500(e) | Fla. R. Civ. P. | Defaults and Final Judgments Thereon

"(e) Final Judgment. Final judgments after default may be entered by the court at any time... If it is necessary to take an account or to determine the amount of damages ... the court may receive affidavits, make references, or conduct hearings as it deems necessary and must accord a right of trial by jury to the parties when required by the Constitution or any statute."

Art. I §22 | FL Constitution | Trial by Jury | (highlights added)

"The right of trial by jury shall be secure to all and remain inviolate. The qualifications and the number of jurors, not fewer than six, shall be fixed by law."

Precedence

- 2013-CA-009121-XXXX - CV-B (6/19/15)
 - 2018-CA-005026-XXXX - CV-B (2/12/19)
 - 2019-CA-004606-XXXX - CV-B (7/8/20)
- Duval regularly grants motions for default final judgment

Abbreviations

1DCA - Florida's First District Court of Appeals
 4DCA - Florida's Fourth District Court of Appeals
 5DCA - Florida's Fifth District Court of Appeals
 AG - Attorney General (Florida)

MOTION

I. Relevant History

1. On May 14, 2021, Plaintiff sued Defendant - in Defendant's individual capacity - under state and federal law (§768 FS, 42 USC §1983, respectively). The facts detailed - among other things - Defendant's **demonstrable perjury** which abridged Plaintiff's **constitutional rights**. Plaintiff thereby requested a trial by jury on "all issues so triable".
2. On June 1, 2021, a process server duly served Defendant by substitute service (please see **Exhibit A**) (§48.031(6) (a) FS, §48.21(1) FS).

a) Side note: A copy of the return of service was docketed in this Honorable Court on the eighth of June (Doc No 9).

3. Twenty-two (22) days later - on June 23, 2021 - Plaintiff moved the Honorable Jody Phillips, Clerk of the Circuit Court, for entry of default.
4. That same day, this Court's Honorable Clerk obliged; and entered default against Defendant (Rule 1.500(a) Fla. R. Civ. P.) (**Exhibit B**).
5. Later on the 23rd of June - and after Default was entered - a man named Charles Schreiber filed a Notice of Appearance in this case; citing Rule 2.505(e) (2)/(e) (5) Fla. R. Jud. Admin. Mr. Schreiber presented himself as a lawyer in Florida's Attorney General's Office, and purported to be counsel for Defendant.

II. Analysis

6. Based on Rule 1.140(a) Fla. R. Civ. P., Defendant **had twenty (20) days to file an answer**. And pursuant to Rule 2.514(a) (1) Fla. R. Jud. Admin., that **twenty (20) day window closed on June 22, 2021**.

7. Yet, June 22nd came & went without Defendant ever filing an answer. Moreover, Defendant never sent Plaintiff any communications expressing Defendant's intent to contest the charges.

8. As such, Defendant failed to file (or serve upon Plaintiff) any answer/pleading/paper - as required by law - prior to the entry of default.

a) Defendant's failure is further emphasized by the fact that he was at the location at the time in which he was served (**Exhibit C**).

b) Plus, as inferred from the Complaint, Defendant is an adult male devoid of incompetence or military servitude^{1/} (see **Exhibit D**).

c) Thus, Defendant must relinquish any appellate dreams of 'excusable neglect', 'improper service', or 'statutory exception'.

9. Onwards, both the *Motion for Default* and the *Default* itself confirmed that Defendant was being sued in his **individual capacity**.

10. It is basic knowledge that the Attorney General ("AG") is legally prohibited from representing (a) state officials sued in their individual capacities, and/or (b) private citizens (highlights added):

"The Lawyer Referral Service at the Florida Bar can assist you in contacting an attorney in Florida with expertise relevant to your situation. By law, the Office of the Attorney General may not represent private citizens in legal disputes."

- <http://MyFloridaLegal.com/Questions> | 6/24/21

11. Moreover, Rule 2.505(e)(2) Fla. R. Jud. Admin. makes no mention of an AG's power to litigate a private matter (such as this one). Rule 2.505(e)(5) - which Mr. Schreiber cited - does not exist at all. Rule 2.505(b), however, mentions people being sued in their official capacities (once again - **not applicable** to these proceedings).

12. Yesterday, Plaintiff called Mr. Schreiber. He asked him what Authorized the AG's office to represent Defendant. Mr. Schreiber did not answer the question.

13. In Compania Int., the 11th Circuit held that it is **improper** to make taxpayers foot the bill for the government's private affairs:

"taxpayers at large should not be subjected to the cost of a judgment entered as a penalty against a government official which comes as a windfall to the individual litigant."

- Compania Int. v Compania Dom., 88 F.3d 948 (11th Cir. 1996)

Thus, as a state agency, the AG's purported representation of Defendant would be an improper use of taxpayer money; and a breach of authority.

14. Likewise, in Picchi, Florida's Supreme Court held that errant notices of appearance **lack legitimacy**:

"In so doing, the district court recognized that it had previously condemned the practice of filing a notice of appearance because such practice was a delaying tactic with no legitimate purpose."

"It is apparent that the notice of appearance here was improperly interposed for delay."

- Picchi v Barnett Bank, 521 So. 2d 1090 (Fla. 1988)

15. As such, neither good faith nor good cause exists to confer Mr. Schreiber's purported notice of appearance (nor any other submission) on Defendant's behalf.

16. This is especially the case since Defendant (a) **failed to file** anything prior to entry of default; and (b) **failed to answer** Plaintiff's complaint.

III. Argument in Favor of Default Final Judgment

17. Rule 1.500(c) Fla. R. Civ. P. states that a defendant's pleadings must be filed **before** default (highlights added):

*"(c) Right to Plead. A party may plead or otherwise defend at any time **before** default is entered."*

18. According to Florida's Supreme Court, rulemakers 'say what they mean and mean what they say':

"One of the most fundamental tenets of statutory construction requires that we give statutory language its plain and ordinary meaning, unless the words are defined in the statute or by the clear intent of the legislature."

- Green v State, 604 So. 2d 471 (Fla. 1992)

The "plain & ordinary" meaning of Rule 1.500(c) requires pleadings **before default**.

19. Rule 1.500(e) Fla. R. Civ. P. authorizes Final Judgment after Default:

"(e) Final Judgment. Final judgments after default may be entered by the court at any time..."

20. Therefore, Defendant's failure to answer Plaintiff's complaint (**before default was entered**) is the statutory reason for entry of Final Judgment.

21. Pursuant to 1DCA's opinion in Freeman, all facts in Plaintiff's complaint are established and admitted:

"A defendant against whom a default is entered admits only the well-pleaded facts and acquiesces only in the relief specifically prayed for."

- Freeman v Freeman, 447 So. 2d 963 (Fla. 1st DCA 1984)

IV. Argument in Favor of a Hearing on Damages

22. Thus, with liability confirmed, the only thing left is a determination of damages. This calculation - as 4DCA decided - requires a hearing:

"Even after obtaining a default against State Farm [the case proceeded], and State Farm was served with a series of motions and the court's notice of a calendar call, requiring a pretrial statement to be filed."

"A jury trial was held, at which State Farm failed to appear. The verdict asked the jury to determine only the amount of damages sustained"

- State Farm v Horkheimer, 814 So. 2d 1069 (Fla. 4th DCA 2001)

23. In the instant case, a hearing on damages is also necessary because Plaintiff's complaint did not foretell the precise monetary/declaratory/injunctive relief sought. According to 5DCA, Plaintiff's damages are "unliquidated" (highlights added):

"A default also admits the plaintiff's entitlement to liquidated damages due under the pleaded cause of action, but not unliquidated damages."

"..."

"damages are not liquidated if the ascertainment of their exact sum requires the taking of testimony to ascertain facts upon which to base a value judgment."

- Bowman v Kingsland, 432 So. 2d 660 (Fla. 5th DCA 1983)

"notice of trial or final hearing after default has been entered is required if the damages are "not liquidated."

- Bowman v Kingsland, 432 So. 2d 660 (Fla. 5th DCA 1983)

V. Nature of Relief Sought

24. Plaintiff avers that the foregoing presents a compelling (ie, entry of default) and important (ie, failure to answer) reason for Final Judgment and a Hearing on Damages.

CONCLUSION

WHEREFORE, Plaintiff respectfully asks this Honorable Court to enter an Order which:

- a) Grants Plaintiff final judgment against Defendant for culpability;
- b) Grants Plaintiff declaratory judgment (§86 FS);
- c) Grants Plaintiff a hearing to determine damages and costs;
- d) Permits Plaintiff to draft a proposed order upon conclusion of said hearing (Rule 2.516(h)(2) Fla. R. Jud. Admin.); and
- e) Grants Plaintiff any other & further relief that is just, equitable, and proper.

Dated this 25th day of June 2021.

Respectfully submitted,
/s/ Elias Makere
ELIAS MAKERE, FSA, MAAA, Plaintiff
3709 San Pablo Rd. S # 701
Jacksonville, FL 32224
P: (904) 294-0026
E: justice.actuarial@gmail.com
W: TextBookDiscrimination.com
Get **Booked Up** on Justice!

CERTIFICATE OF COMPLIANCE

I certify that the size and style of type used in this document is Times New Roman 14-point Font (caption) and Courier New 12-point Font (contents); thus complying with the font requirements of Rule 9.210(a)(2) Fla. R. App. P.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of June 2021, I electronically filed the foregoing by using the Florida Courts E-filing Portal. Also, considering Mr. E. Gary Early's default status, I mailed the 'Default' to him via USPS.

/s/ Elias Makere

Endnotes:

^{1/} Based on government records, Defendant is not in any branch of the United States military. Therefore, he is not subject to the protections of The Servicemember's Civil Relief Act (SCRA) (please see **Exhibit D**).

EXHIBIT A

Return of Service

Florida

In the Circuit Court, 4th Judicial Circuit, Duval County

16-2021-CA-002763-XXXX-MA

Makere v Early

§768 FS, 42 USC §1983

RETURN OF SERVICE

SHERIFF NUMBER: 21005020

PARTY TO BE SERVED
HON. E GARY EARLY
1230 APALACHEE PARKWAY
TALLAHASSEE, FL

ATTORNEY / PETITIONER

PLAINTIFF: ELIAS MAKERE
-VS-
DEFENDANT: HON. E GARY EARLY
TYPE OF WRIT: SUMMONS, COMPLAINT

COURT: CIRCUIT / DUVAL
CASE #: 2021-CA-002763-XXXX

COURT DATE:
COURT TIME:

Received the above-named writ on May 28, 2021, at 12:42 PM, and SERVED the same on the 1st day of June 2021, at 10:40 AM. Service was completed at 1230 APALACHEE PARKWAY TALLAHASSEE, FL in LEON County, Florida, as follows:

GOVERNMENTAL AGENCY / OFFICIAL / ASSOCIATION / CORPORATION

By delivering a true copy of this writ together with a copy of the initial pleadings, if any, with the date and hour of service endorsed thereon by me to Kaleed Abiola Security Guard as Registered Agent of the within named Defendant to-wit: HON. E GARY EARLY .

SERVICE COST: \$0.00
Y.W., CIVIL CLERK

WALT MCNEIL, SHERIFF
LEON COUNTY, FLORIDA

COURT:
DUVAL COUNTY CLERK OF COURT
SUITE 2338
JACKSONVILLE, FL 32202

TB 1501
BY: _____
Process Server Tracie Baker, Badge # 1501

EXHIBIT B

Default Entry

Florida

In the Circuit Court, 4th Judicial Circuit, Duval County

16-2021-CA-002763-XXXX-MA

Makere v Early

§768 FS, 42 USC §1983

[First Page Only]

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

ELIAS MAKERE, FSA, MAAA)

Plaintiff,)

)

vs.)

Case No (LT): 2021-CA-002763-XXXX

)

Division: CV-B

HON. E. GARY EARLY, ALJ)

Defendant,)

DEFAULT

Default is hereby entered in this action against Defendant,
HON. E. GARY EARLY, ALJ, - in his individual capacity - for failure
to respond as required by law.

Jun 23 2021

DATED ON: _____ 20 _____

JODY PHILLIPS // CLERK OF COURTS

Patricia A. Phillips

Deputy Clerk

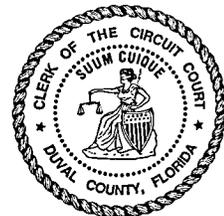


EXHIBIT C

Proof of Defendant's Presence at Workplace at the Time of Service
[to quell potential appeals of '*I was out of town*']

Date Served: 6/1/2021

Website

- (1) <https://www.doah.state.fl.us/DocDoc/2021/001654/21001654OPI-060121-02224292.pdf>
- (2) <https://www.doah.state.fl.us/ALJ/Judges/judgeDetails.asp?judgeID=51>
- (3) <https://www.doah.state.fl.us/ALJ/intercom.asp>

Public Record Pursuant to §119.035(2) Florida Statute

9. Exhibits shall be pre-marked in advance of the hearing, consistent with the numbering used in their respective exhibit lists. The pages of each multi-paged exhibit shall be consecutively numbered and stapled or otherwise securely bound. Paperclips and rubber bands are not acceptable.

10. The parties shall stipulate to the introduction of as many exhibits as possible so as to minimize the amount of time spent at the hearing laying a foundation for exhibits. Issues of authenticity of documents shall be resolved between the parties to the greatest extent practicable prior to the hearing.

11. The parties are responsible for ensuring that confidential information is redacted from exhibits prior to their introduction into evidence.

12. Official recognition is hereby taken of decisional, constitutional, public statutory law and resolutions of the Florida Legislature; rules promulgated by governmental agencies which are published in the Florida Administrative Code; any final orders, including recommended orders ruled upon therein, that have been electronically transmitted to DOAH and placed on the docket of the proceeding; judgments and records of Florida courts; and duly enacted ordinances and resolutions of Florida municipalities and counties, without the necessity of a motion requesting the undersigned to take official recognition.

DONE AND ORDERED this 1st day of June, 2021, in Tallahassee, Leon County, Florida.



E. GARY EARLY
Administrative Law Judge
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
www.doah.state.fl.us



COPIES FURNISHED:

Alexander R. Boler, Esquire
Suite 300
2073 Summit Lake Drive
Tallahassee, Florida 32317

Jonathan T. Gilbert, Esquire
Colling, Gilbert, Wright & Carter, LLC
Suite 830
801 North Orange Avenue
Orlando, Florida 32801

Judge Details - DOAH - Florida

doah.state.fl.us/ALJ/Judges/judgeDetails.asp?judgeID=51

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

6/22/2021

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411
my

Administrative Law Judge E. Gary Early



[← BACK](#)

Personal:

- Judge Early is married and has three adult children.
- Employed by DOAH: June 30, 2011; appointed as Senior Judge for the Northern District, May 1, 2016

Education:

- B.A. - Florida State University, 1978
- J.D. - Florida State University, 1981

Offices and Positions:

- Department of Environmental Regulation - Assistant General Counsel (September 1981-March 1992)
- Akerman, Senterfitt & Eidson - Shareholder (March 1992-August 2001)
- Messer Caparelo, P.A. - Shareholder (August 2001-June 2011)

Professional Activities/Organizations:

- Florida Bar Sections - Environmental, Administrative Law, Health Care, Government Lawyer
- American Bar Association

Publications and Speaking Presentations:

- Contributing Author - Environmental and Land Use Law Section Treatise

Judge Early has been a speaker at a variety of bar-sponsored continuing legal education programs

Honors and Awards:

- Board Certified - State and Federal Government and Administrative Practice
- Martindale-Hubbell AV Preeminent

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Judge	Secretary	Extension
Peter Antonacci	Laura Dane	5421
Lizlie F. Bogan	Lakeysha Gaines	5474
Gar W. Chisenthall	Sharon Childers	5464
Diane Cleavinger	Sharon Childers	5464
Robert S. Cohen	Genine Lee	5486
Mary Li Creasy	Kathleen Smith	5488
J. Bruce Culpepper	Hannah Cake	5476
Heal Desai	Pershaw Benedict	5475
E. Gary Early	Monique Plaskett	5462
Francine M. Folkes	Alexis Johnson	5487
Brittany O. Finkbeiner	Alexis Johnson	5487
Yolonda Green	Monique Plaskett	5462
Robert L. Kilbride	Kathleen Smith	5488
Jodi-Ann V. Livingstone	Lakeysha Gaines	5474
Andrew Manio	Pershaw Benedict	5475
Elizabeth W. McArthur	Lakeysha Gaines	5474
June C. McKinney	Genine Lee	5486
Robert E. Meale	Genine Lee	5486
Lisa 'Li' Shearer Nelson	Leslie Breggins	5463
Brian A. Newman	Laura Dane	5421
John D. C. Newton, II	Hannah Cake	5476
James H. Peterson, III	Monique Plaskett	5462
Lynne Quimby-Pennock	Pershaw Benedict	5475
Todd P. Resavage	Sharon Childers	5464
Darren Schwartz	Kathleen Smith	5488
Cathy M. Sellers	Alexis Johnson	5487
Lawrence P. Stevenson	Leslie Breggins	5463
Robert J. Telfer, III	Sharon Childers	5464
John G. Van Laningham	Genine Lee	5486
Suzanne H. Van Wyk	Leslie Breggins	5463
Jessica E. Varn	Monique Plaskett	5462
W. David Watkins	Leslie Breggins	5463

Clerk's Office

Information	Name	Extension
BA & CS Cases; Subpoenas	Gail Austin	5444
New Case Assignment	Terri Dikko	5446

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EXHIBIT D

Affidavit of Non-Military Service
(Edward Gary Early)

Source: US Department of Defense
6/22/2021

Department of Defense Manpower Data Center

Results as of: Jun-22-2021 05:53:02 PM

SCRA 5.8



Status Report Pursuant to Servicemembers Civil Relief Act

SSN:

Birth Date: Mar-XX-1956

Last Name: EARLY

First Name: EDWARD

Middle Name: GARY

Status As Of: Jun-22-2021

Certificate ID: 3R4W3ZPL50HTL6

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individual's active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Michael V. Sorrento, Director
Department of Defense - Manpower Data Center
400 Gigling Rd.
Seaside, CA 93955

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: <https://scra.dmdc.osd.mil/scra/#faqs>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

EXHIBIT E

Mail
(Clerk's Default)

Mailed To: Defendant
Mailed By: Plaintiff

6/25/2021

USPS Certified Mail
7021 0950 0002 1653 2379

Rule 2.516(b) (2) (B) (2)

Elias Makere, FSA, MAAA
3709 San Pablo Rd S #701
Jacksonville, FL 32224
Justice.Actuarial@gmail.com

CERTIFIED MAIL®



7021 0950 0002 1653 2379

Hon. E. Gary Early
1230 Apalachee Pkwy
Tallahassee, FL 32399
(Division of Administrative Hearings)

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

ELIAS MAKERE, FSA, MAAA)

Plaintiff,)

vs.)

Case No (LT): 2021-CA-002763-XXXX

Division: CV-B

HON. E. GARY EARLY, ALJ)

Defendant,)

DEFAULT

Default is hereby entered in this action against Defendant,
HON. E. GARY EARLY, ALJ, - in his individual capacity - for failure
to respond as required by law.

Jun 23 2021

DATED ON: _____

20 _____

JODY PHILLIPS // CLERK OF COURTS

Camela R. Howell

Deputy Clerk

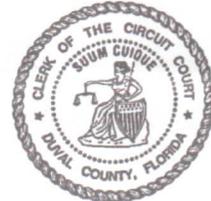


EXHIBIT A

Return of Service

Florida

In the Circuit Court, 4th Judicial Circuit, Duval County

16-2021-CA-002763-XXXX-MA

Makere v Early

\$768 FS, 42 USC §1983

Doc No 9

6/7/2021

[Pages 1-3 Only]

RETURN OF SERVICE

SHERIFF NUMBER: 21005020

PARTY TO BE SERVED
HON. E GARY EARLY
1230 APALACHEE PARKWAY
TALLAHASSEE, FL

ATTORNEY / PETITIONER

PLAINTIFF: ELIAS MAKERE
-VS-
DEFENDANT: HON. E GARY EARLY

TYPE OF WRIT: SUMMONS, COMPLAINT

COURT: CIRCUIT / DUVAL
CASE #: 2021-CA-002763-XXXX

COURT DATE:
COURT TIME:

Received the above-named writ on May 28, 2021, at 12:42 PM, and SERVED the same on the 1st day of June 2021, at 10:40 AM. Service was completed at 1230 APALACHEE PARKWAY TALLAHASSEE, FL, in LEON County, Florida, as follows:

GOVERNMENTAL AGENCY / OFFICIAL / ASSOCIATION / CORPORATION

By delivering a true copy of this writ together with a copy of the initial pleadings, if any, with the date and hour of service endorsed thereon by me to Kaleed Abiola Security Guard as Registered Agent of the within named Defendant to-wit: HON. E GARY EARLY.

SERVICE COST: \$0.00
Y.W., CIVIL CLERK

WALT MCNEIL, SHERIFF
LEON COUNTY, FLORIDA

COURT:

DUVAL COUNTY CLERK OF COURT
SUITE 2338
JACKSONVILLE, FL 32202

BY: TB 1501
Process Server Tracie Baker, Badge # 1501

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

ELIAS MAKERE, FSA, MAAA)

Plaintiff,)

vs.)

Case No (LT): 2021-CA-002763-XXXX

Division: CV-B

HON. E. GARY EARLY, ALJ)

Defendant,)

S U M M O N S

TO:

Hon. E. Gary Early, ALJ
1230 Apalachee Pkwy
Tallahassee, FL 32399

SERVED THIS 1 DAY OF June
20 21 AT 10:40 A.M. P.M.
WALT McNEIL, SHERIFF OF LEON COUNTY, FL
BY: [Signature] DS

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 in this Court. A phone call will not protect you; your written response, including the above case number and named parties, must be filed if you want the Court to hear your case.

If you do not file your response on time, you may lose the case, and the Court may enter a default against you for the relief requested in the complaint. 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 photocopy/carbon copy of) your written response to the Plaintiff:

Elias Makere, FSA, MAAA
3709 San Pablo Rd. S #701
Jacksonville, FL 32224
P: 904.294.0026
E: justice.actuarial@gmail.com

28MAY2021 11:34 RCUD

ACCEPTED: DUVAL COUNTY, JODY PHILLIPS, CLERK, 05/20/2021 09:44:30 AM

THE STATE OF FLORIDA:

TO EACH SHERIFF OF THE STATE:

YOU ARE COMMANDED to serve this Summons and a copy of the Complaint in this lawsuit on the above-named Defendant.

DATED ON: May 20 2021 20

Jody Phillips
Clerk of Court

Bethany White

Deputy Clerk

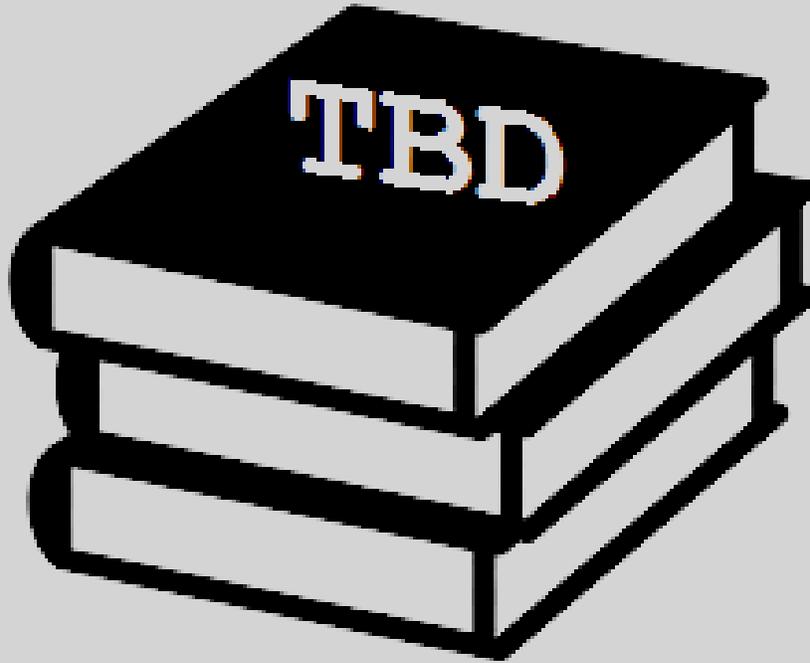


PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

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