

**IN THE DISTRICT COURT OF APPEAL  
FIFTH DISTRICT, STATE OF FLORIDA**

FOLEY, *et ux*, *Appellants*

vs.

ORANGE COUNTY, *et alia*, *Appellees*

Appeal No.: 5D21-233

Case No.: 2016-CA-007634-O

RECEIVED, 03/12/2021 04:38:31 PM, Clerk, Fifth District Court of Appeal

**APPENDIX  
TO  
MOTION FOR ORDER DIRECTING COMPLIANCE WITH RULE 9.200**

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Jennifer T. Foley, *Pro Se*  
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**IN THE CIRCUIT COURT OF  
THE NINTH JUDICIAL CIRCUIT  
IN AND FOR ORANGE COUNTY,  
FLORIDA**

***Appellants/Plaintiffs***

DAVID W. FOLEY, JR., and  
JENNIFER T. FOLEY

v.

***Appellees/Defendants***

ORANGE COUNTY, *a political subdivision of  
the State of Florida, and,*

ASIMA AZAM, TIM BOLDIG, FRED  
BRUMMER, RICHARD CROTTY, FRANK  
DETOMA, MILDRED FERNANDEZ,  
MITCH GORDON, TARA GOULD, CAROL  
HOSSFELD, TERESA JACOBS,  
RODERICK LOVE, ROCCO RELVINI,  
SCOTT RICHMAN, JOE ROBERTS,  
MARCUS ROBINSON, TIFFANY  
RUSSELL, BILL SEGAL, PHIL SMITH, *and*  
LINDA STEWART,  
*individually and together,  
in their personal capacities.*

2016-CA-007634-O

**DIRECTIONS  
TO CLERK**

**and**

**STATEMENT OF THE  
JUDICIAL ACTS TO  
BE REVIEWED**

**per**

**RULE  
9.200(a)(2)**

PLAINTIFFS/APPELLANTS David W. Foley, Jr., and Jennifer T. Foley, pursuant Fla.R.App.P. 9.200(a)(2), direct the clerk to include the following in the record for appeal: 1) the transcript of the hearing of December 11, 2017, filed by an approved civil court reporter September 16, 2019 (Doc# 95730801), pursuant Fla.R.App.P. 9.200(b); 2) the progress docket; and, 3) those items filed with the lower tribunal listed below:

<b>#</b>	<b>Date Filed</b>	<b>Doc #</b>	<b>Title</b>
1.	10/25/2016	48082823	Orange County's Motion to Dismiss Plaintiffs' Complaint Pursuant to Florida Rules of Civil Procedure 1.140(B)(1) and (6)
2.	10/25/2016	48082823	Orange County's Motion for Judicial Notice Pursuant to Florida Rule of Evidence 90.202(10) and 90.203
3	02/15/2017	52564910	Amended Verified Complaint for Declaratory & Injunctive Relief, Constitutional and Common Law Tort, Civil Theft, and Demand for Jury Trial
4.	03/07/2017	53377215	Orange County's Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to Florida Rules of Civil Procedure 1.140(b)(1) and (6)
5.	05/22/2017	56758653	Plaintiffs' Motion for Judicial Notice
6.	05/24/2017	56901050	Plaintiffs' Response to Defendants' Motions to Dismiss
7.	05/25/2017	56928070	Plaintiffs' Motion for Judicial Notice of Ord. No. 2008-06
8.	05/25/2017	56919265	Plaintiffs' Response in Objection to Orange County's Motion for Judicial Notice, and Plaintiffs' Motion for Judicial Notice of Ord. No. 2016-19
9.	08/30/2017	61168439	Plaintiffs' Motion for Judicial Notice of Orange County Site-Plan and Building Permit Issued November 30, 2007
10.	08/30/2017	61168439	Plaintiffs' Motion for Judicial Notice of the Order of Orange County's Board of County Commissioners February 19, 2008, in Case ZM-07-10-010
11.	11/20/2017	64432177	Orange County's Amended Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to Florida Rules of Civil Procedure 1.140(B)(1) and (6), Amended so as to Raise Statute of Limitations Defense
12.	12/05/2017	65010225	Plaintiffs' Response to the Limitations Defense in Orange County's Amended Motion to Dismiss

13.	12/10/2017	65191504	Plaintiffs Motion for Judicial Notice of May 24, 2017 FWC Memorandum “Local Ordinances and the Regulation of Captive Wildlife”
14.	04/08/2019	87651313	Plaintiffs’ Motion for Relief from Judgment and for Other Relief
15.	05/07/2019	89127613	Order on Hearing Scheduled for 4/4/18
16.	05/07/2019		Court Minutes
17.	09/12/2019	95633154	Designation to Civil Court Reporter Abigail Rusboldt, Milestone Reporting Company
18.	09/16/2019	95730801	12/11/17 Transcript
19.	11/10/2020	116422339	Order Dismissing the Amended Complaint with Prejudice as to Orange County
20.	11/18/2020	116917812	Notice of Appearance on Behalf of Defendant, Orange County, and Designation of E-Mail Addresses
21.	11/25/2020	117291870	Plaintiffs’ Motion for Rehearing and Leave to Amend
22.	12/18/2020	118469811	Order on Motion for Rehearing and Motion to Amend
23.	01/13/2021	119554607	Notice of Appearance and Designation of Email Address for Defendants, Orange County, Phil Smith, Carol Hossfield, Mitch Gordon, Rocco Relvini, Tara Gould, and Tim Boldig

**STATEMENT OF THE JUDICIAL ACTS TO BE REVIEWED**

PLAINTIFFS/APPELLANTS David W. Foley, Jr., and Jennifer T. Foley, seek review of Judge Heather Higbee’s, November 10, 2020, “Order of Dismissal and Final Judgment in Favor of Defendant,” and December 18, 2020, “Order on Motion for Rehearing and Motion to Amend.”

**CERTIFICATE OF SERVICE**

Plaintiffs certify that on January 28, 2021, the foregoing was electronically filed with the Clerk of the Court using the Florida Courts' eFiling Portal, which will send notice of filing and a service copy of the foregoing to the following:

*Linda S. Brehmer Lanosa*, Assistant County Attorney,  
201 S. Rosalind Av., 3<sup>rd</sup> Floor, Orlando FL, 32802, linda.lanosa@ocfl.net;

*Ronald L. Harrop*, O'Connor & O'Connor LLC,  
800 N. Magnolia Av. Ste 1350, Orlando FL, 32789, rharrop@oconlaw.com;

*Gail C. Bradford*, Dean, Ringers, Morgan & Lawton PA,  
PO 2928, Orlando FL 32802, gbradford@drml-law.com

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David W. Foley, Jr.

  
\_\_\_\_\_  
Jennifer T. Foley

Date: January 28, 2021

Plaintiffs/Appellants

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**CERTIFICATE OF SERVICE**

Plaintiffs certify that on March 12, 2021, the foregoing was electronically filed with the Clerk of the Court, and served on the following, through ePORTAL:

*Linda S. Brehmer Lanosa*, Assistant County Attorney,  
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David W. Foley, Jr.

  
\_\_\_\_\_  
Jennifer T. Foley

Date: March 12, 2021

Appellants

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