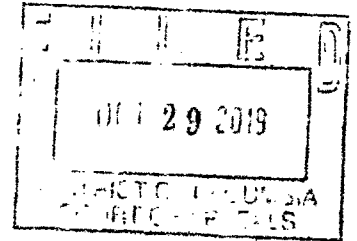


# A P P E N D I X E S

A-H

**District of Columbia  
Court of Appeals**



**No. 19-CV-678**

**SAUNDRA TAYLOR,**

**Appellant,**

**v.**

**2019 CAB 2462**

**DISTRICT OF COLUMBIA,**

**Appellee.**

**BEFORE: Thompson and Easterly, Associate Judges, and Steadman, Senior Judge.**

**J U D G M E N T**

On consideration of appellant's motion for summary reversal, appellant's motion to supplement her motion for summary reversal, appellee's opposition and cross-motion for summary affirmance, appellant's reply, and the record on appeal, it is

ORDERED that appellant's motion to supplement is granted and the materials attached to the motion are filed as a supplement to the motion for summary reversal. It is

FURTHER ORDERED that appellant's motion for summary reversal is denied. It is

FURTHER ORDERED that appellee's motion for summary affirmance is granted. *See Oliver T. Carr Mgmt., Inc. v. Nat'l Delicatessen, Inc.*, 397 A.2d 914, 915 (D.C. 1979). Appellee timely filed its motion to dismiss, and thus its statute-of-limitations defense was properly before the trial court. Sup. Ct. Civ. R. 5(b)(2)(C), 6(d). We reject appellant's conclusory assertion that she lacked notice of her claim prior to August 20, 2018. The statute-of-limitations period commences "the moment a party has either actual notice of her cause of action, or is deemed to be on inquiry notice by failing to act reasonably under the circumstances in investigating matters affecting her affairs, where such an investigation, if conducted, would have led to actual notice." *Medhin v. Hailu*, 26 A.3d 307, 310 (D.C. 2011). We take judicial notice of appellant's filings with this court in her previous related case of *Taylor v.*

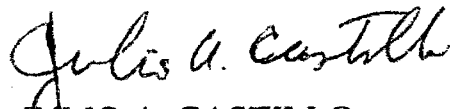
**A**

No. 19-CV-678

*Sedgwick CMS*, Appeal No. 12-CV-1320, including a copy of the Compensation Review Board's (CRB) July 27, 2011, decision, and appellant's October 2012 acknowledgment in her own words that her request for reconsideration with the CRB had been procedurally improper. *Taylor*, Appeal No. 12-CV-1320, Appellant's Appendix at 120-21, Appellant's Brief at 4; *see Outlaw v. United States*, 854 A.3d 169, 172 (D.C. 2004) ("This court can, however, take notice of its own records."). Even if appellant did not recognize the full contours of her claim at that time, she knew that the advice at issue had been incorrect and she suffered harm in that her request based on this advice was denied, which is sufficient to trigger the running of the statutory limitations period. Thus, the applicable three-year statute-of-limitations period, D.C. Code § 12-301(8) (2012 Repl.), expired long before appellant filed the underlying action in April 2019. Finally, because the statute of limitations amounted to an independent and sufficient ground for dismissing her action, we need not reach the issue of whether appellant complied with the terms of the permanent injunction order. It is

FURTHER ORDERED and ADJUDGED that the orders on appeal be and hereby are affirmed.

ENTERED BY DIRECTION OF THE COURT:

  
JULIO A. CASTILLO  
Clerk of the Court

Copies mailed to:

Honorable Hiram E. Puig-Lugo

QMU – Civil Division

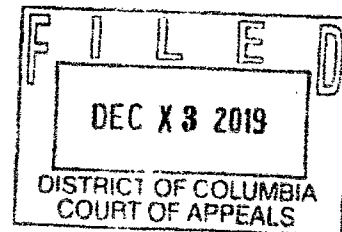
Copies e-served to:

Sandra Taylor

Loren L. AliKhan, Esquire  
Solicitor General for DC

cml

**District of Columbia  
Court of Appeals**



No. 19-CV-678

SAUNDRA TAYLOR,

Appellant.

v.

2019 CAB 2462

DISTRICT OF COLUMBIA,

Appellee.

BEFORE: Thompson and Easterly, Associate Judges, and Steadman, Senior Judge.

**ORDER**

On consideration of appellant's motion for reconsideration, construed as a petition for rehearing, it is

ORDERED that the petition for rehearing is denied. *See* D.C. App. R. 40. Appellant presents no basis for the court to reconsider its prior decision. To the extent that appellant now makes a novel assertion of an unspecified disability, she failed to assert this claim in the trial court, and this court will not entertain the argument for the first time in a petition for rehearing.

**PER CURIAM**

Copies e-served to:

Saundra Taylor

Loren L. AliKhan, Esquire  
Solicitor General for DC

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B

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

TAYLOR, SAUNDRA : Case Number: 2019 CA 002462 B

v. :

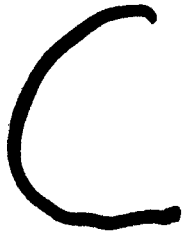
DISTRICT OF COLUMBIA DEPARTMENT OF  
EMPLOYMENT SERV et al : Judge Hiram E. Puig-Lugo

**ORDER**

This matter comes before the Court upon consideration of (1) Defendants' motion to dismiss, filed on June 25, 2019, Plaintiff's Opposition, filed on June 28, 2019 and (2) Plaintiff's Motion for Default Judgment, filed on June 28, 2019.

On April 17, 2019, Plaintiff filed a Complaint for (1) negligence and (2) intentional infliction of emotional distress. In Plaintiff's Complaint, Plaintiff alleges that in 2001, Plaintiff sustained work-related injuries. Further, Plaintiff alleges that in 2010, ALJ Joan Knight issued a Compensation Order denying Plaintiff's workers' compensation claim. In 2011, Plaintiff allegedly discovered "factual inconsistencies" in the hearing transcript and filed a motion to set aside with the Compensation Review Board (CRB). The CRB issued a decision and order affirming ALJ Knight's order denying Plaintiff's workers' compensation claims. Plaintiff alleges that Defendant intentionally misguided Plaintiff to file a motion to set aside to the CRB instead of the appropriate venue. Based on the aforementioned allegations, Plaintiff's Complaint contains a prayer for relief and judgment against Defendants in the amount of \$10,000,000.00.

The Complaint, Summons, Initial Order with Acknowledgment Form were mailed to Defendants by the Clerk of the Court pursuant to rule 54-II on April 24, 2019. Under D.C. Super. Ct. Civ. R. 4(m), Plaintiff needed to file proof of service no later than June 16, 2019 in the absence of a response from Defendants. Plaintiff failed to file proof of service in accordance with the rules.



Nevertheless, the District of Columbia Department of Employment Services (DOES) filed the instant motion to dismiss on June 25, 2019. While Plaintiff asserts that Defendants were served on April 24, 2019, no proof of service was filed and the Court believes that Plaintiff is referring to the date on which the Clerk sent the Complaint package to Defendants pursuant to 54-II. No acknowledgment forms were returned and no proof of service was filed, therefore, it is unclear whether or not DOES' response strictly falls within the requisite period.

### **DISCUSSION**

Under D.C. Code § 12-301, "[e]xcept as otherwise specifically provided by law, actions for the following purposes may not be brought after the expiration of the period specified below from the time the right to maintain the action accrues: (8) for which a limitation is not otherwise specially prescribed – 3 years."

"Under District of Columbia law, an action for negligence must be brought within three years after a cause of action accrues. Generally, a cause of action is said to accrue at the time injury occurs. However, in cases where the relationship between the fact of injury and the alleged tortious conduct is obscure when the injury occurs, we apply a "discovery rule" to determine when the statute of limitations commences." *Bussineau v. President & Directors of College*, 518 A.2d 423, 425 (D.C. 1986) (citations omitted). "The discovery rule does not, however permit a plaintiff who has information regarding a defendant's negligence, and who knows that she has been significantly injured, to defer institution of suit and wait and see whether additional injuries come to light. Thus, a cause of action will accrue once a plaintiff has knowledge of "some injury," its cause in fact, and "some evidence of wrongdoing." *Morton v. National Med. Enters.*, 725 A.2d 462, 468 (D.C. 1999).

Here, Plaintiff's Complaint alleges that the Plaintiff discovered factual inconsistencies in 2011 and presented them to CRB in 2011. Plaintiff alleges that it was a D.C. Department of Employment Service (DOES) employee who misguided her to file the subject motion to set aside in CRB and thereby caused her injuries. The events in Plaintiff's allegations took place between 2001-

2011. The Court finds that the cause of action accrued in 2011 once Plaintiff had knowledge of some injury, its cause, and some evidence of wrongdoing. Accordingly, the statute of limitations bars this action.

### **CONCLUSION**

For the above reasons, this action is barred by the statute of limitations. Even assuming Plaintiff pled sufficient facts to state a claim, Plaintiff's claims are severely untimely and the Court need not address the merits of Defendant's or Plaintiff's alternative arguments at this juncture. Accordingly, it is this 3<sup>rd</sup> day of July, 2019, hereby:

**ORDERED** that Defendants' Motion to Dismiss is **GRANTED**; it is further

**ORDERED** that Plaintiff's Motion for Default Judgment is **DENIED**; it is further

**ORDERED** that Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**; it is further

**ORDERED** that the Initial Scheduling Conference on July 19, 2019 is **VACATED**; it is further

**ORDERED** that this case is now closed.

**IT IS SO ORDERED.**

  
Judge Hiram Puig-Lugo  
*Signed in Chambers*

**Copies to:**  
All counsel of record via CasefileXpress

Saundra Taylor  
501 Main Street, #408  
Laurel, MD 20707

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

TAYLOR, SAUNDRA

: Case Number: 2019 CA 002462 B

v.

:

DISTRICT OF COLUMBIA DEPARTMENT OF  
EMPLOYMENT SERV et al

: Judge Hiram E. Puig-Lugo

**ORDER**

This matter comes before the Court upon consideration of Plaintiff's Motion to Reinstate pursuant to Rule 41(b), filed on July 10, 2019. For the following reason, Plaintiff's motion is denied.

Rule 41 provides that, "any order of dismissal does not take effect until 14 days after the date on which it is docketed and must be vacated upon the granting of a motion filed by the Plaintiff within the 14-day period showing good cause why the case should not be dismissed." See Super. Ct. Civ. R. 41(b)(3).

Here, Plaintiff explains numerous reasons for why her Complaint should be reinstated, including her misunderstanding of the rules. Plaintiff also asserts that at the motion to dismiss stage, a court should not dismiss a complaint on statute of limitations grounds unless the claim is time-barred on the face of the complaint. In making these assertions, Plaintiff has brought to the Court's attention an Order of Permanent Injunction that Judge Holeman issued on March 10, 2014. Judge Holeman's Order of Permanent Injunction enjoins Plaintiff from further filings in the Superior Court of the District of Columbia without prior leave of the undersigned Judge, as specified in the Order.

In addition to the fact that Plaintiff's Complaint is time-barred by the statute of limitations in the above captioned matter, Plaintiff has also failed to comply with Judge Holeman's Order of Permanent Injunction. It appears that the Clerk of the Superior Court was

D



prohibited from accepting for filing any documents submitted by Plaintiff, including motions to proceed *in forma pauperis*, except as specified in Judge Holeman's Order. In filing the Complaint in the instant case, Plaintiff did not seek leave to file nor comply with the requirements in seeking leave to file. Therefore, the Court shall not consider Plaintiff's filings.

Accordingly, it is this 15<sup>th</sup> day of July, 2019, hereby:

**ORDERED** that Plaintiff's Motion to Reinstate is **DENIED**.

**IT IS SO ORDERED.**

  
Judge Hiram Puig-Lugo  
*Signed in Chambers*

**Copies to:**  
All counsel of record via CasefileXpress

Saundra Taylor  
501 Main Street, #408  
Laurel, MD 20707

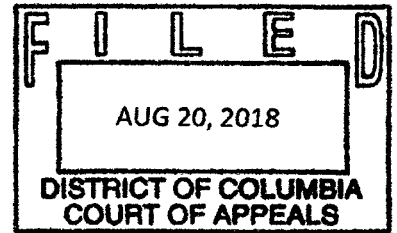
**DISTRICT OF COLUMBIA COURT OF APPEALS**

No. 17-AA-956

SAUNDRA TAYLOR, PETITIONER,

v.

DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES, RESPONDENT.



On Petition for Review of an Order of the  
District of Columbia Department of Employment Services  
Compensation Review Board  
(CRB-66-17)

(Submitted June 14, 2018)

Decided August 20, 2018)

Before EASTERLY and MCLEESE, *Associate Judges*, and FARRELL, *Senior Judge*.

**MEMORANDUM OPINION AND JUDGMENT**

PER CURIAM: Petitioner Sandra Taylor challenges an order denying her request that the Compensation Review Board (CRB) reopen Ms. Taylor's previously denied claim for workers' compensation benefits. We affirm.

Ms. Taylor filed a claim for workers' compensation relating to a 2001 injury. Her claim was denied in 2005, and in 2008 this court affirmed the denial of her claim. In 2014, Ms. Taylor sought to reopen her claim, alleging both a change in conditions and fraud in the original administrative proceeding. The CRB denied relief, and this court affirmed. *Taylor v. District of Columbia Dep't of Emp't Servs.*, Nos. 14-AA-1253 & 15-AA-593, Mem. Op. (D.C. Sept. 29, 2016).

In April 2017, Ms. Taylor once again sought to reopen her previously denied claim, again seeking leave to introduce additional evidence and again alleging fraud. An administrative law judge (ALJ) denied the request to reopen, concluding that Ms. Taylor was attempting to relitigate previously decided issues, had failed to support her claim of fraud, and did not establish a basis for reopening the record. The CRB affirmed, agreeing with the conclusions of the ALJ.

E

**No. 17-AA-956**

Copies e-served to:

**Saundra Taylor**

**Loren L. AliKhan, Esquire  
Solicitor General for DC**

Copy to:

**Timothy Fitzpatrick  
Compensation Review Board  
4058 Minnesota Avenue, NE  
Suite 4005  
Washington, DC 20019**

bep/pii

**District of Columbia  
Court of Appeals**

FEB 22 2012

No. 11-AA-1019

SAUNDRA TAYLOR,

Petitioner,

CRB163-10

v.

VERIZON COMMUNICATIONS,  
INC., ET AL.,

Respondents.

BEFORE: Glickman, Associate Judge; Ruiz, Associate Judge, Retired; Pryor, Senior Judge.

**ORDER**

On consideration of appellant's *pro se* petition for rehearing, motion to reinstate, motion for clarification, and motion to amend the lodged motion to reinstate and the lodged motion for clarification, it is

ORDERED that the motion to amend is granted and the Clerk is directed to file the lodged amended motion to reinstate and the lodged amended motion for clarification. It is

FURTHER ORDERED that the petition for rehearing, amended motion to reinstate, and amended motion for clarification are denied.

**PER CURIAM**

Copies to:

Saundra Taylor  
8206 Mike Shapiro Drive  
Clinton, MD 20735

F

**CERTIFICATE OF SERVICE**

This certifies that on June 24, 2019, a copy of the foregoing motion was sent via First Class Mail and email, to:

Ms. Sandra Taylor, *pro se*  
501 Main Street, #428  
Laurel, MD 20707  
washstaylor@aol.com

On June 25, 2019, undersigned counsel received a notification from CaseFileXpress that the filing was rejected. Accordingly, on June 25, 2019, a copy of the foregoing motion was re-filed with a redacted version of the exhibits attached, which was sent via First Class Mail and email to the same address.

/s/ Charles J. Coughlin  
CHARLES J. COUGHLIN  
Assistant Attorney General

G

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION

SAUNDRA TAYLOR  
501 Main Street  
#428  
Laurel, Maryland 20707  
Plaintiff

EXHIBIT  
E

APP.  
A

v.

Civil Action No. 19 - 0002462

Declaration of the Honorable Judge Brian Holeman

DISTRICT OF COLUMBIA

This declaration is made to the Order of Permanent Injunction of February 7, 2014, by Sandra Taylor. I am 57 years old, I am the Plaintiff, and I was the Plaintiff in the case, Sandra Taylor v. Verizon Communication Inc., Et al CAB 5327-13. I declare this court has jurisdiction of the civil complaint against District of Columbia that I request this Court's permission to file Forma Pauperis that is not frivolous "like the fifty states, District of Columbia is not subject to diversity jurisdiction." *Long v. District of Columbia*, 820 F.2d 409, 414 (D.C. Dir. 1987). The Order of Permanent Injunction of February 7, 2014, is not attached to this declaration because I do not have a copy of the order in my possession.

I declare under the penalty of perjury under the laws of the District of Columbia and the state of Maryland that the statements are true.

April 17, 2019  
Date

Sandra Taylor  
Signature

APP.  
A

H