APPENDIX
TABLE OF CONTENTS

APPENDIX A

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-13554

Filed June 12, 2020

JARVIS O'NEIL ADAMS

Plaintiff-Appellant,

v.

OFFICE OF THE GOVERNOR
OFFICE OF GREENE COUNTY SHERIFF
OFFICER PAQUETTE, official and personal capacity
OFFICER JOHN DOE, official and personal capacity

Defendants

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 19-13554
Non-Argument Calendar

D.C. Docket No. 3:19-cv-00010-CAR

JARVIS O'NEIL ADAMS,

Plaintiff-Appellant,

versus

OFFICE OF THE GOVERNOR,
State of Georgia,
OFFICE OF GREENE COUNTY SHERIFF,
OFFICER PAQUETTE,
Greene County Deputy Sheriff,
OFFICER JOHN DOE,
presumably McGammons, Greene County
Deputy Sheriff,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Georgia

(June 12, 2020)

Before WILSON, LAGOA, and ANDERSON, Circuit Judges.

PER CURIAM:

Jarvis O'Neil Adams, proceeding pro se, appeals the sua sponte dismissal with prejudice of his 42 U.S.C. § 1983 action raising claims of an unlawful stop, search, and seizure in violation of the Fourth Amendment and other rights. The district court granted Adams's motion to proceed *in forma pauperis*, but dismissed his case with prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) because he failed to state a claim upon which relief could be granted and because amending his complaint would be futile under the *Rooker-Feldman*[1] doctrine. After careful review of the appellant's brief and the record, we affirm in part and vacate and remand in part.[2]

I.

We review de novo a district court's sua sponte dismissal for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). *Mitchell v. Farcass*, 112 F.3d 1483, 1490 (11th Cir. 1997). Section 1915(e) provides that an *in forma pauperis* action shall be dismissed at any time if the court determines that it fails to state a claim for which relief may be granted. § 1915(e)(2)(B)(ii). To avoid dismissal for failure to state a claim, the complaint must contain enough facts to "raise a right to

[1] *Rooker v. Fid. Tr. Co.*, 263 U.S. 413 (1923); *D.C. Court of Appeals v. Feldman*, 460 U.S. 462 (1983).

[2] To the extent that Adams appeals the dismissal of any of his other constitutional claims, we have determined that such claims are conclusory and meritless, and we affirm their dismissal.

relief above the speculative level." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). And its claim for relief must be plausible on its face. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). We have stated that "conclusory allegations, unwarranted deductions of facts or legal conclusions masquerading as facts will not prevent dismissal." *Oxford Asset Mgmt., Ltd. v. Jaharis*, 297 F.3d 1182, 1188 (11th Cir. 2002). Pro se pleadings are liberally construed and held to less stringent standards than those drafted by lawyers but must still suggest some factual basis for a claim. *Jones v. Fla. Parole Comm'n*, 787 F.3d 1105, 1107 (11th Cir. 2015). And "[a] copy of a written instrument that is an exhibit to a pleading is a part of the pleading for all purposes." Fed. R. Civ. P. 10(c).

To prevail on a civil rights action under § 1983, "a plaintiff must show that he or she was deprived of a federal right by a person acting under color of state law." *Griffin v. City of Opa-Locka*, 261 F.3d 1295, 1303 (11th Cir. 2001). The Fourth Amendment protects individuals from unreasonable searches and seizures. *Terry v. Ohio*, 392 U.S. 1, 9 (1968).

"A warrantless arrest without probable cause violates the Fourth Amendment and forms a basis for a section 1983 claim," *Ortega v. Christian*, 85 F.3d 1521, 1525 (11th Cir. 1996), but there can be no claim for false arrest without an arrest, *Shaw v. City of Selma*, 884 F.3d 1093, 1101 (11th Cir. 2018).

A traffic stop is considered a seizure subject to the protections of the Fourth Amendment. *United States v. Purcell*, 236 F.3d 1274, 1277 (11th Cir. 2001). A decision to stop a vehicle is reasonable under the Fourth Amendment when an officer has probable cause to believe that a traffic violation occurred. *Whren v. United States*, 517 U.S. 806, 810 (1996). Probable cause is a "reasonable ground for belief of guilt, supported by less than prima facie proof but more than mere suspicion." *United States v. $242,484.00*, 389 F.3d 1149, 1160 (11th Cir. 2004). This standard is met when an officer personally observes a traffic infraction. *See United States v. Harris*, 526 F.3d 1334, 1337–38 (11th Cir. 2008) (per curiam).

A warrantless search of an automobile is constitutional if (1) the automobile is readily mobile and (2) there is probable cause to believe that it contains contraband or evidence of a crime. *United States v. Lanzon*, 639 F.3d 1293, 1299–1300 (11th Cir. 2011). The first prong is satisfied if the car is operational. *United States v. Watts*, 329 F.3d 1282, 1286 (11th Cir. 2003) (per curiam). As for the second prong, probable cause to search a vehicle "exists when under the totality of the circumstances, there is a fair probability that contraband or evidence of a crime will be found in the vehicle." *United States v. Lindsey*, 482 F.3d 1285, 1293 (11th Cir. 2007). This standard is met when an officer detects the smell of marijuana. *United States v. Lueck*, 678 F.2d 895, 903 (11th Cir. 1982), *abrogation on other grounds recognized by United States v. Phillips*, 812 F.2d 1355 (11th Cir. 1987)

(per curiam). In addition to searching the vehicle, officers conducting a traffic stop may "take such steps as are reasonably necessary to protect their personal safety," including conducting a protective search of the driver. *Purcell*, 236 F.3d at 1277 (alteration accepted).

A warrantless seizure of personal property in plain view is permissible under the Fourth Amendment where officers have probable cause to believe that the property is contraband. *See United States v. Smith*, 459 F.3d 1276, 1290 (11th Cir. 2006). The government can establish probable cause for the seizure of property by showing that the property was related to "some illegal drug transaction." *$242,484.00*, 389 F.3d at 1160. In considering the evidence that funds were related to a drug transaction, we employ "a common sense view to the realities of normal life applied to the totality of the circumstances." *Id.* The sheer quantity of cash, although a significant fact, is not sufficient on its own to establish probable cause to believe money was related to a drug transaction. *Id.* at 1161.

The district court did not err by dismissing Adams's claims for unlawful arrest and unlawful stop. First, he was not arrested, and second, he alleged, and did not dispute, that the officers stopped him based on a traffic violation—failing to use his turn signal. *See* O.C.G.A. § 40-6-123(b) ("A signal of intention to turn right or left or change lanes when required shall be given continuously for a time sufficient to alert the driver of a vehicle proceeding from the rear in the same

direction or a driver of a vehicle approaching from the opposite direction."). The district court also did not err by dismissing Adams's claim for unlawful search of his vehicle as he alleged the officers stated that they searched his car because they smelled marijuana, which established probable cause for the search.

But the district court did err by dismissing Adams's claim for unlawful seizure of his personal property during the stop because it did not specifically address whether there was probable cause for the seizure. In other words, the district court made no determination about whether the alleged facts supported that the officers had probable cause to believe the seized money was contraband—e.g., related to a drug transaction. As this determination requires a fact-specific inquiry governed by the totality of the circumstances, we will remand to the district court to address in the first instance whether Adams stated a claim for unlawful seizure under § 1983.

II.

"We review a district court's decision to deny leave to amend for an abuse of discretion," *Woldeab v. Dekalb Cty. Bd. of Educ.*, 885 F.3d 1289, 1291 (11th Cir. 2018), but we review de novo the underlying legal conclusion that amendment to the complaint would be futile, *Corsello v. Lincare, Inc.*, 428 F.3d 1008, 1012 (11th Cir. 2005) (per curiam). We review de novo a district court's determination that it lacks subject matter jurisdiction over a plaintiff's claims due to the

Rooker-Feldman doctrine. *See Goodman ex rel. Goodman v. Sipos*, 259 F.3d 1327, 1331 (11th Cir. 2001).

Generally, the district court abuses its discretion if it does not provide a pro se plaintiff at least one opportunity to amend his complaint before dismissing it with prejudice, unless doing so would be futile because a more carefully crafted complaint would still not be able to state a claim. *See Woldeab*, 885 F.3d at 1291–92. Under the *Rooker-Feldman* doctrine, federal district courts and courts of appeals lack subject matter jurisdiction "over certain matters related to previous state court litigation." *Goodman*, 259 F.3d at 1332. The *Rooker-Feldman* doctrine "extends not only to constitutional claims presented or adjudicated by a state court, but also to [federal] claims that are 'inextricably intertwined' with a state court judgment." *Siegel v. LePore*, 234 F.3d 1163, 1172 (11th Cir. 2000) (en banc) (per curiam). "A federal claim is inextricably intertwined with a state court judgment if the federal claim succeeds only to the extent that the state court wrongly decided the issues before it." *Id.* (internal quotation mark omitted).

The Supreme Court has clarified that the *Rooker-Feldman* doctrine is confined to cases that are "brought by state-court losers complaining of injuries caused by state-court judgments rendered *before the district court proceedings commenced* and inviting district court review and rejection of those judgments." *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005)

(emphasis added). *Rooker* and *Feldman* do not support the idea that properly invoked concurrent jurisdiction vanishes when a state court reaches judgment on the same question while the case is still under review in federal court. *Id.* at 292. "Disposition of the federal action, once the state-court adjudication is complete, would be governed by preclusion law." *Id.* at 293. Thus, "the relevant inquiry [for applying the *Rooker-Feldman* doctrine] is whether the state court proceedings have ended" before the federal action was filed. *Nicholson v. Shafe*, 558 F.3d 1266, 1277 (11th Cir. 2009); *see Lozman v. City of Riviera Beach*, 713 F.3d 1066, 1072 (11th Cir. 2013) (noting *Rooker-Feldman* doctrine would only apply if state court proceedings ended *before commencement* of the plaintiff's federal case).

And under Federal Rule of Civil Procedure 15(c)(1), "[a]n amendment to a pleading relates back to the date of the original pleading when . . . the amendment asserts a claim or defense that arose out of the conduct, transaction, or occurrence set out—or attempted to be set out—in the original pleading."

Here, the district court erred by concluding that amendment would be futile because it would be barred from review under the *Rooker-Feldman* doctrine. As the district court noted, the state civil forfeiture proceeding had not concluded when Adams filed his initial complaint. Because any amended complaint based on the same facts could relate back to the date of the filing of the initial complaint, the *Rooker-Feldman* doctrine would not apply to Adams's amended complaint.

III.

For the reasons stated above, we affirm the district court's dismissal of Adams's claims for unlawful stop and search. We vacate the dismissal of Adams's unlawful seizure claim and remand to the district court for proceedings consistent with this opinion.

AFFIRMED IN PART; VACATED AND REMANDED IN PART.

APPENDIX B

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

Civil Action No. 3:19-cv-00010-CAR

Filed August 13, 2019

JARVIS O'NEIL ADAMS

Plaintiff

v.

OFFICE OF THE GOVERNOR
OFFICE OF GREENE COUNTY SHERIFF
OFFICER PAQUETTE, official and personal capacity
OFFICER JOHN DOE, official and personal capacity

Defendants

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

JARVIS O'NEIL ADAMS,	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION
v.	:	No. 3:19-CV-00010 (CAR)
	:	
OFFICE OF THE GOVERNOR, OFFICE OF GREENE COUNTY SHERIFF, OFFICER PAQUETTE, official and personal capacity, OFFICER JOHN DOE, official and personal capacity,	:	
	:	
Defendants.	:	
	:	

ORDER ON MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Before the Court is *pro se* Plaintiff Jarvis O'Neil Adams' Motion for Leave to Proceed *In Forma Pauperis* [Doc. 6]. In his Complaint, Plaintiff alleges that two officers from the Green County Sheriff's office unlawfully seized his money while searching his person and vehicle in violation of Plaintiff's constitutional rights. Now, Plaintiff has moved this Court for relief and for permission to proceed without prepayment of fees. Plaintiff's Affidavit in support of his Motion to Proceed *In Forma Pauperis* ("IFP") supports the Court's finding that he is unable to pay the cost of commencing this action or United States Marshal service fees.[1] Accordingly, Plaintiff's Motion to Proceed *In*

[1] Appl. to Proceed IFP [Doc. 6].

Forma Pauperis [Doc. 6] is **GRANTED**. After reviewing Plaintiff's Complaint, the Court concludes this case must be **DISMISSED** for failure to state a claim.

BACKGROUND

Plaintiff alleges in his Complaint that on August 16, 2018, Defendant Paquette pulled Plaintiff over for failing to turn on his signal light.[2] Plaintiff states that during the stop, Defendant Paquette told him that his vehicle smelled like marijuana.[3] Defendant Paquette then conducted an unlawful search of Plaintiff's person and vehicle and wrongfully seized stacks of money found on Plaintiff's person and in his vehicle, totaling $11,320.[4]

The state filed a civil forfeiture complaint against the seized funds on December 12, 2018, in the Superior Court of Greene County.[5] About six weeks later on January 28, 2019, while the state case was ongoing, Plaintiff filed his Complaint in this Court. From the documents Plaintiff filed in this case, it appears he did not attempt to claim the seized funds in the state court. He did not file an answer, motion, or any other defensive pleadings, and he did not attend the show-cause hearing. On May 6, 2019,

[2] Pl.'s Comp., p. 3 [Doc. 1].
[3] Pl.'s Comp., p. 4 [Doc. 1].
[4] Pl.'s Comp., pp. 5-6 [Doc. 1].
[5] Letter re Removal, Ex. 2, pp. 1-3, "Motion for Default Judgment," ¶1 [Doc. 7-2].

almost five months after the state filed its civil forfeiture complaint, the Superior Court of Greene County granted the state Default Judgment.[6]

Plaintiff believes he removed the state forfeiture case to this Court by filing the Complaint in the present case. Plaintiff's filings and attachments in this Court detail the events ongoing in the parallel state court forfeiture action. [7] Among other relief, Plaintiff seeks "actual damages" of $11,320,[8] the amount of money the officers confiscated during the traffic stop.[9]

ANALYSIS

Under 28 U.S.C. § 1915(e), a court must *sua sponte* dismiss an indigent plaintiff's complaint or any portion thereof which (1) is frivolous or malicious; (2) fails to state a claim on which relief may be granted; or (3) seeks monetary relief against a defendant who is immune from such relief.[10] This statute "accords judges not only the authority to dismiss a claim based on an indisputably meritless legal theory, but also the unusual

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[6] Letter re Removal, Ex. 2, pp. 1-3, "Motion for Default Judgment" [Doc. 7-2]; Notice of Activity, Ex. 1, "Default Judgment" [Doc. 8-1].

[7] Plaintiff filed a "Notice of Improper Venue and Lack of Jurisdiction" in state court claiming that the Superior Court of Greene County lacked jurisdiction to enter default judgment because the Plaintiff thought, incorrectly, that he had "removed" the forfeiture action to this Court before default judgment was granted. Letter re Removal, Ex. 1, "Notice of Improper Venue and Lack of Jurisdiction" [Doc. 7-1]; Plaintiff also filed a "Notice of Activity" in this Court, purporting that the state court judge is subject to sanctions for granting the government Default Judgment. Notice of Activity [Doc. 8]; Notice of Activity, Ex. 1, "Default Judgment" [Doc. 8-1].

[8] Pl.'s Comp., p. 6 [Doc. 1].

[9] More details regarding the traffic stop may be found in the "Notice of Seizure" which is Ex. 1 to Pl.'s Compl. [Doc. 1-1].

[10] 28 U.S.C. § 1915(e)(2)(B).

power to pierce the veil of the complaint's factual allegations and dismiss those claims whose factual contentions are clearly baseless."[11] "*Pro se* pleadings are held to a less stringent standard than pleadings drafted by attorneys and will, therefore, be liberally construed."[12] As is its duty, the Court has scrutinized Plaintiff's Complaint, liberally construed all of Plaintiff's allegations, and finds Plaintiff has failed to state a claim on which relief may be granted.

According to Rule 8 of the Federal Rules of Civil Procedure, "[a] pleading that states a claim for relief must contain: (1) a short and plain statement of the grounds for the court's jurisdiction... (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for the relief sought..."[13] In addition, a complaint "must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'"[14] A claim is plausible where the plaintiff alleges factual content that "allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged."[15] To avoid dismissal, the allegations raised in the complaint must be sufficient "to 'raise a right to relief above the speculative level' on the assumption that all the allegations in the complaint are true."[16]

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[11] *Neitzke v. Williams*, 490 U.S. 319, 327 (1989).
[12] *Tannenbaum v. United States*, 148 F.3d 1262, 1263 (11th Cir. 1998).
[13] Fed.R.Civ.P. 8(a)(2).
[14] *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citing *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)).
[15] *Id.*
[16] *Bingham v. Thomas*, 654 F.3d 1171, 1175 (11th Cir. 2011) (per curiam).

Because Plaintiff is proceeding *pro se*, the Court construes his pleadings more liberally than it would formal pleadings submitted by a lawyer.[17] Here, Plaintiff's Complaint simply does not contain enough factual matter or allegations to meet the pleading requirements of Rule 8(a)(2).[18]

It is clear that Plaintiff wishes to have this Court return the confiscated funds that have now been forfeited to the state. This Court, however, is not a state appellate court; this Court cannot review or reverse the state court's judgment forfeiting the funds to the state.

Because the Court must liberally construe Plaintiff's claims, the Court also construes Plaintiff's Complaint to bring claims pursuant to 42 U.S.C. § 1983 for unlawful arrest, unlawful search of his person and vehicle, and unlawful seizure of his property in violation of the Fourth Amendment. To state a claim for relief under Section 1983, a plaintiff must allege that (1) an act or omission deprived him of a right, privilege, or immunity secured by the Constitution and laws of the United States; and (2) the act or omission was committed by a person acting under color of state law.[19]

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[17] *See Tannenbaum*, 148 F.3d at 1263; *Powell v. Lennon*, 914 F.2d 1459, 1463 (11th Cir. 1990).
[18] Fed.R.Civ.P. 8(a)(2).
[19] *Wideman v. Shallowford Cmty. Hosp., Inc.*, 826 F.2d 1030, 1032 (11th Cir. 1987).

To sufficiently state claims for each of these causes of action, Plaintiff must allege that there was no probable cause to justify the officers' actions.[20] If the search or seizure is supported or justified by probable cause, Plaintiff is absolutely barred from pursuing his § 1983 claims.[21] Here, because Plaintiff alleges and describes the probable cause supporting the officers' actions in his Complaint, he fails to state a claim.[22]

"Probable cause [for the officers' actions] exists where the facts and circumstances within the officers' knowledge and of which they had reasonably trustworthy information are sufficient in themselves to warrant a man of reasonable caution in the belief that an offense has been or is being committed."[23] Plaintiff states that the officer stopped him because he "did not turn [his] signal light on" and searched his vehicle because it "smelled like marijuana."[24] Each of these are sufficient to establish probable cause.[25]

Although Plaintiff alleges that the officers acted "without any lawful authority" and they were "violating the Constitution," such blanket statements and phrases do not

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[20] *U.S. v. Ross*, 456 U.S. 798, 823-24 (1982) (unreasonable search); *Payton v. New York*, 445 U.S. 573, 588 (1980) (unlawful seizure); *Marx v. Gumbinner*, 905 F.2d 1503, 1505 (11th Cir. 1990) (unlawful arrest).

[21] *Marx*, 905 F.2d. at 1505-06.

[22] *See* Compl. [Doc. 1].

[23] *Marx*, 905 F.2d. at 1506.

[24] Compl., pp. 3-4 [Doc. 1].

[25] *See, e.g., U.S. v. Champion*, 609 F. App'x 122 (4th Cir. 2015) (marijuana smell was sufficient probable cause to search vehicle during traffic stop); *United States v. Jenkins*, 266 F.Supp.3d 980 (E.D. Mich. 2017) (traffic violation was sufficient probable cause to stop vehicle).

provide the necessary information to make these claims.[26] Conclusory allegations lacking specific details are insufficient to satisfy the *Iqbal* and *Twombly* standard.[27]

In sum, Plaintiff did not adequately describe the basis of his constitutional claims. From these allegations, assuming they are true, the Court can only speculate as to Plaintiff's right of relief. After reviewing Plaintiff's Complaint, the Court concludes it must be **DISMISSED** because it fails to state a claim on which relief may be granted.

While this Court would usually afford a *pro se* Plaintiff the opportunity to amend his complaint, it would be futile in this case.[28] Plaintiff's Complaint cannot be remedied because a recast complaint would be barred by the *Rooker-Feldman* doctrine.[29] The *Rooker-Feldman* doctrine holds that "federal district courts and courts of appeals lack jurisdiction to review the final judgment of a state court,"[30] and it applies to cases "brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments."[31] The *Rooker-Feldman* doctrine also bars claims that are "inextricably intertwined" with the barred claim.[32] "A claim is inextricably

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[26] *Id.*

[27] *See Ashcroft v. Iqbal*, 556 U.S. 662 (2009); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007).

[28] *See Cardelle v. Miami-Dade County*, 472 F. App'x 449, 450 (11th Cir. 2018) (holding "[w]here a more carefully drafted complaint could not state a claim and amendment would be futile, dismissal with prejudice is proper.").

[29] *See D.C. Court of Appeals v. Feldman*, 460 U.S. 462 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923).

[30] *Cardelle*, 472 F. App'x at, 450.

[31] *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 284 (2005).

[32] *Cormier v. Horkan*, 397 F. App'x 550, 553 (11th Cir. 2010).

intertwined if it would effectively nullify the state court judgment or it succeeds on to the extent that the state court wrongly decided the issues."[33]

Because Plaintiff initiated this case before the state court entered judgment, the *Rooker-Feldman* doctrine does not bar the Complaint currently before the Court. If Plaintiff filed a recast Complaint, however, such complaint would be filed after the state court entered default judgment, and the *Rooker-Feldman* doctrine would bar Plaintiff's claims. All of Plaintiff's claims challenge the legality of the search and seizure of his funds, which could nullify the state court judgment forfeiting such funds to the state.[34] Thus, all of Plaintiff's claims are "inextricably intertwined" with the state court's forfeiture judgment. Consequently, Plaintiff's Complaint must be **DISMISSED WITH PREJUDICE** because Plaintiff has failed to state a claim on which relief may be granted, and a recast Complaint would be barred by the *Rooker-Feldman* doctrine.

CONCLUSION

For the foregoing reasons, Plaintiff's Motion to Proceed *In Forma Pauperis* [Doc. 6] is **GRANTED**; however, his Complaint [Doc. 1] is hereby **DISMISSED WITH PREJUDICE.**

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[33] *Id.*

[34] *See United States v. $53,661.50 in U.S. Currency*, 613 F. Supp. 180 (S.D. Fla. 1985).

SO ORDERED, this 12th day of August, 2019.

S/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

JARVIS O'NEIL ADAMS,	*	
Plaintiff,	*	
v.		Case No. 3:19-cv-10-CAR
	*	
OFFICE OF THE GOVERNOR, et al,	*	
Defendants.	*	

JUDGMENT

Pursuant to this Court's Order dated August 12, 2019, and for the reasons stated therein, JUDGMENT is hereby entered dismissing this case. Plaintiff shall recover nothing of Defendants.

This 13th day of August, 2019.

David W. Bunt, Clerk

s/ Gail G. Sellers, Deputy Clerk

APPENDIX C

CONSTITUTIONAL PROVISIONS AND STATUTES INVOLVED

U.S. Constitution 4th amendment

The right of the people to be secure in their person, houses, papers and effects against unreasonable searches and seizures shall not be violated, no warrants shall issue but upon probable cause supported by oath or affirmation, particularly describing the place to be searched and the person or thing to be seized.

U.S. Constitution 5th amendment

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb: nor shall be compelled in any criminal case to be a witness against himself nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation

APPENDIX D

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

CIVIL ACTION NO. 3:19-cv-00010-CAR

Filed October 7, 2020

JARVIS O'NEIL ADAMS

Plaintiff

v.

OFFICE OF THE GOVERNOR
OFFICE OF GREENE COUNTY SHERIFF
OFFICER PAQUETTE, official and personal capacity
OFFICER JOHN DOE, official and personal capacity

Defendants

AMENDED COMPLAINT

UNITED STATES DISTRICT COURT
For the
Middle District of Georgia
Athens Division

Jarvis O'Neil Adams,
Plaintiff

Case No: 3:19-cv-00010-CAR

v

OFFICE OF THE GOVERNOR,
OFFICE OF GREENE COUNTY SHERIFF,
OFFICER PAQUETTE, official and personal capacity,
OFFICER JOHN DOE, official and personal capacity,
Defendants

Basis for Jurisdiction:

The basis for jurisdiction in this matter shall be a federal question under 28 U.S.C. 1331. The specific provisions of the United States Constitution that are at issue in this case are Titles 18 U.S.C. 242, 18 U.S.C. 241, 42 U.S.C. 1983, 28 U.S.C. 2201, 28 U.S.C. 2202, the 4th and 5th Amendments of the United States Constitution , Article 3 section 2 of the U.S Constitution: cases in which a state shall be party and Articles 9, 13, and 17 of the Universal Declaration of Human Rights.

AMENDMENT TO COMPLAINT

Plaintiff believes that the evidence will show that on the night of August 16, 2018 plaintiff was seized by the defendant while traveling on Interstate 20. Plaintiff was not committing a crime nor did plaintiff have any warrants out for his arrest prior to being seized.

Audio evidence will confirm that upon stopping plaintiff did ask the defendant to present probable cause for the stop and will confirm that the officer did ask plaintiff if he would stand in front of the officer's dash-cam while presenting the cause for the stop. Plaintiff believes that the evidence will also confirm that upon stepping out of the vehicle plaintiff did inquire again as to the reason why he was stopped to which the officer stated that he failed to see plaintiff signal. Although the evidence will confirm that the officer states to plaintiff that he simply failed to see plaintiff signal, the police report states that the officer saw plaintiff change lanes without signaling, pass a vehicle, and change lanes again without signaling. Plaintiff recalls riding along the highway and seeing the defendant maneuver into the lane that plaintiff was driving in directly behind plaintiff. Plaintiff does not recall the defendant's blue lights being on when the defendant maneuvered into the lane and also does not recall any other vehicles being near. Plaintiff changed lanes at this time and the defendant maneuvered directly behind plaintiff again and seized plaintiff, and plaintiff believes that the evidence will confirm this statement. Plaintiff does not know whether he actually failed to signal but was not charged with anything during the stop, and depending on what else the evidence reveals concerning the stop, plaintiff may be allowed to ask more federal questions in regards to whether the stop was unreasonable pursuant to the 4th Amendment. The defendant's police report then states that upon walking up to the car the defendant immediately smelled marijuana, but as plaintiff has already stated the audio will confirm that plaintiff does ask the officer to present probable cause for the stop and the officer does ask plaintiff if he would stand in front of the dash-cam while the defendant presents cause for the stop. It can be thus be concluded that the officer stating in the police report that he smelled anything at this time is simply the officer's opinion and no evidence will be presented that will provide proof of the officer's opinion at this time or at anytime during the stop. The

police report does not detail any other events that transpired during the stop until the search of plaintiff's person occurred. Until the evidence is presented plaintiff believes the stop is a violation of his constitutional secured rights for the following reasons:

- The 4th Amendment states that citizens are secure in their effects against unreasonable seizures. Plaintiff believes that his vehicle is considered his effects for purposes related to the 4th Amendment, and plaintiff also believes that a seizure occurs when the vehicle is stopped. The action does therefore deprive plaintiff of the right secured in the Constitution, the action was based upon state law, and depending on what the evidence shows concerning the stop plaintiff may be allowed to ask questions regarding whether the stop was unreasonable.
- The totality of the events which occurred resulted in personal property being confiscated from plaintiff. Plaintiff believes that since no crime was committed during the stop the property could not be held subject to forfeiture, because the sole purpose for doing so was to attempt to prove the property as evidence of a crime. Plaintiff' believes that the stop must be construed in this way as well and to proceed with the action there must first be a warrant that authorized the defendant to come out and seize plaintiff and the property pursuant to the 4th and 5th Amendment. Plaintiff believes the U.S. Supreme Court has already determined in situations similar to this that for any type of criminal purpose one would be trying to serve the stop would be considered a violation of the citizen's 4th and 5th Amendment.
- The 4th Amendment establishes that probable cause must be supported by oath or affirmation. Plaintiff believes that an oath or affirmation is the epitome of a

warrant or affidavit and absent a warrant one must prove that the action itself is justified under the Constitution and Supreme Law of the Land as it is written. Although there are cases where the U.S. Supreme Court has ruled that a stop based on traffic is permissible pursuant to the Constitutional rights of the citizens, there are also cases where the U.S. Supreme Court have set limitations on what the officer is allowed to do during the stop when the stop is based on traffic. Plaintiff believes that when officers prolong stops to conduct actions that are not consistent with the reason for the stop the U.S. Supreme Court rules the stop a violation of the citizens 4th and 5th Amendment rights. Plaintiff also believes the contrast in case-related situations presents the question of whether the actions performed by the officer during the stop were based upon color of law.

- Plaintiff believes that his human rights are unalienable rights which include plaintiff's right to travel between the borders of each state with prevention from arbitrary detention. Plaintiff believes that because the particular stretch of I-20 considered to be Greene County only stretches about ten miles east or west, the vast majority of the travelers are not from any of the surrounding counties or Georgia. Plaintiff believes that it is highly improbable that county officers would actually be sitting out on the interstate to patrol traffic. Plaintiff believes that traffic is the excuse that the officers use to pull the citizen over then some citizens are arbitrarily detained and held subject to the same type of actions that occurred in plaintiff's case.

Plaintiff believes the evidence will confirm that prior to having his person searched his license, registration and proof of insurance was checked, and all were confirmed valid. Plaintiff

recalls the registration and proof of insurance being in plaintiff's possession prior to the search but the defendant was still in possession of plaintiff's license. Plaintiff also recalls being presented with the reason for being stopped prior to his person being searched and there were no" citations" or "tickets" etc. written during the incident. Plaintiff recalls the search of his person being brief and only recalls having his person searched one time during the incident. Plaintiff recalls this occurring as he was walking towards his vehicle to leave. At that time the officer stated something to plaintiff regarding the license and had plaintiff's license clipped to something on his chest. When plaintiff approached the defendant to retrieve the license the defendant grabbed plaintiff and conducted a search of plaintiff's person. Plaintiff believes that all actions consistent with the cause for the stop had already been performed prior to his person being searched, and although the defendant's police report states that the search was a "weapons check," as long as plaintiff was not in possession of any weapons then there is no reason why plaintiff should have been further hindered. Although the police report states that the defendant felt federal reserve notes on plaintiff's person while searching him, federal reserve notes are not weapons, and plaintiff does not believe that it is a crime for him to be in possession of federal reserve notes, neither is it a crime for plaintiff to have federal reserve notes in his car, from thus it can be concluded that plaintiff is free to leave at this time. Plaintiff does not believe the evidence will provide any proof of any assertion pertaining to the officer's opinion of smelling marijuana at this time or anytime during the incident, and plaintiff believes that all other actions performed after the search of his person were not consistent or permissible with what officers' are allowed to do when a stop is based on traffic. Plaintiff also believes that the evidence will show that the search of plaintiff's person caused an quarrel between the defendant and plaintiff. During the argument the things that were stated were consistent with: the defendant accusing

plaintiff of being in possession of narcotics, plaintiff denying the accusations, plaintiff and the defendant quarreling about plaintiff's rights, the defendant acknowledging that he was aware of plaintiff's rights, and the defendant ultimately telling plaintiff that he is going to search plaintiff's vehicle anyway because the State of Georgia allows him to do so as well as many other things. Officer John Doe arrived on the scene around this time and plaintiff asked the officer to assist him with the situation. John Doe agreed with paquette about the state of georgia law and told plaintiff that the state of georgia supreme court had already ruled this. In contrast to the police report plaintiff believes the evidence will show that the parts of the argument that the defendant(s) believed to be most beneficial to build a case against plaintiff's property was then implemented into the police report. Until the evidence is presented plaintiff believes that the search of his person violates his constitutional secured rights in the following ways:

- The U.S. Supreme Court has already determined that officers may not prolong a stop to perform actions that are inconsistent with the reason for the stop. Plaintiff believes that in those cases the U.S. Supreme Court also have determined the action itself to be a violation of the citizen's 4th and 5th Amendment rights and also determined for any type of criminal purpose one would be trying to serve the action would also be considered a violation of the same.
- The 4th Amendment states that citizens are secure in their persons' against unreasonable searches. The federal courts have also determined that searches of a citizen's person can be construed with whether a citizen has a right to leave at the time and whether the stop is over prior to the search occurring. Plaintiff believes that this test must be viewed under the totality of the circumstances. In regards to the actions performed, plaintiff believes that the stop was either over prior to the

search of his person or being that his person revealed no weapons the stop was over at this time and plaintiff was free to go. Since this right is secured in the 4th Amendment, the action itself does deprive plaintiff of the right, and plaintiff believes that the contrast in case-related situations presents a question of whether the action is based upon color of law.

- The 4th Amendment establishes that probable cause must be supported by oath or affirmation. Plaintiff believes that an oath or affirmation is the epitome of a warrant or affidavit and absent the warrant must prove that the action itself is justified under the Constitution and the Supreme Law of the Land as it is written. There are several federal cases in which a search of a citizen's person has been deemed a violation of the citizen's 4th and 5th Amendment rights. Plaintiff believes that this is the reason that the defendant's police report attempts to chalk the search of plaintiff's person up to a "weapons check," but if it is and plaintiff has no weapons then plaintiff believes he is free to leave, the stop is over, and his right to leave is being infringed upon.

Plaintiff believes the evidence will show that the defendant did command officer John Doe to watch plaintiff and keep plaintiff in front of the camera while the defendant searched plaintiff's vehicle and will show plaintiff standing in front of the camera throughout the duration of this incident. The evidence will not provide any proof of any assertion of the officer's opinion of smelling narcotics at this time or at anytime during the incident and common sense would denote that the item(s) that the defendant states seeing would not provide any proof of the officer's opinion because the item(s) was not marijuana. Common sense would also denote that the item(s) was not drug paraphernalia because if it were plaintiff would have been charged for

the paraphernalia. The police report states that the defendant saw a black plastic bag, but to plaintiff's knowledge a black plastic bag is not contraband or paraphernalia nor evidence of a crime. The police report states that the bag smelled like marijuana, but this is just the officer's opinion, and plaintiff does not believe the evidence will provide any proof of the officer's opinion at this time or anytime during the incident. Plaintiff does not believe that plastic bags being inside of a plastic bag establishes evidence of contraband or paraphernalia nor does plaintiff recall having any plastic bags inside of a plastic bag. Plaintiff also recalls seeing some items displaced and discarded in the vehicle when he finally returned to the vehicle and recalls the defendant taking pictures of the inside of the vehicle. This leads plaintiff to believe that while the defendant was searching plaintiff's vehicle he made a mess of plaintiff's vehicle and took pictures of the mess he made to try to use them as a evidence. The term "blunt wraps" is slang terminology that does not specifically describe what the police report states the defendant saw, but the evidence will and common sense will denote that the item is not contraband or paraphernalia or else plaintiff would have been charged with it, and common sense will also denote that the term does not refer to any "roaches, clipping's, etc." or anything to do with seeing marijuana wrapped up in anything because if the defendant had found even a crumb of marijuana plaintiff would have been taken to jail. Until the evidence is presented plaintiff believes that his Constitutional secured rights were violated in the following ways:

- The 4th Amendment states that citizen are secure in their effects against unreasonable searches. Plaintiff believes his vehicle and possessions are considered his effects for all purposes related to the 4th Amendment. The action does therefore deprive plaintiff of a right secured in the Constitution and plaintiff

believes that contrast of case-related situations presents the question of whether the action is based on color of law.

- The 4th Amendment establishes that probable cause must be supported by oath or affirmation. Plaintiff believes that an oath or affirmation is the epitome of a warrant or affidavit and absent a warrant one must prove that the action is justified under the Constitution and the Supreme Law of the Land as it is written. The federal courts have already determined that probable cause cannot be established solely upon an officer's opinion of smelling narcotics. There are also federal cases where an officer's opinion of smelling narcotics has lead to searches and those searches were ruled violations of the citizens 4th and 5th Amendment right for any type of criminal purpose attempting to be served. There are also cases in which an officer's opinion of smelling narcotics has lead to searches and other harassment and the citizen was award damages. Plaintiff believes that he is entitled all the immunities and privileges as those citizens.

Plaintiff believes that the evidence will confirm that while the defendant is searching plaintiff's vehicle he removed personal property belonging to plaintiff then continued searching plaintiff's vehicle and possessions. The property was a stack of unfolded federal reserve notes held together by three thick rubber bands, the denominations of which were twenties, fifties, and hundred dollar notes, and the stack was placed on top of the hood of the defendant's vehicle. Plaintiff also had a folded stack of twenty dollar federal reserve notes on his person that were confiscated by the officer after the officer searched plaintiff's vehicle. Neither stack of federal reserve notes were contraband and no evidence will be provided that will prove that the notes were evidence of a crime because no crime was committed during the stop nor was plaintiff

charged with anything during the stop nor was anything else confiscated during the stop. The evidence will confirm that plaintiff does acknowledge to the officer that he has documentation in the vehicle regarding his personal property which consisted of plaintiff's retail license and some other documentations. The same documentation was provided to this court in plaintiff's informa pauperis along with bank records and the retail license that plaintiff provided is the same type that is consistent with what convenience stores, grocery stores, and fast food restaurants, etc. must display in their respective place of business. When plaintiff told the officer that he was willing to show the documentations to him, the officer's response was he did not want to see plaintiff's documentations because he already knew how plaintiff receives his money. The defendant can also be seen asking plaintiff to sign a disclaimer and telling plaintiff that people like plaintiff usually sign that money over to him and say they don't know how it got in their vehicle. The defendant also tells plaintiff that he wants the money in plaintiff's pocket and tells plaintiff to remove the money from his pocket before plaintiff is allowed to leave. The defendant placed both stacks of federal reserve notes in a bluish looking bag and wrote a receipt for an unknown amount of U.S. Currency which was wrongfully dated. After this happened the defendant did not believe that plaintiff was really the person whom he identified plaintiff to be. The defendant can be seen demanding plaintiff to show him another identification and tells plaintiff to pull out his wallet and all of his papers. John Doe held plaintiff's driver's license and interrogated plaintiff concerning the information listed on the identification such as plaintiff's height, weight, date of birth, etc. and defendant paquette took out his personal cell phone and took pictures of the inside of plaintiff's vehicle, a picture of plaintiff, plaintiff's license plate, and also used the phone to take a fingerprint of plaintiff's thumb. The defendant also called to the Lexington County Sheriff's department or detention center or plaintiff's local police station and

someone released information to the defendant's concerning plaintiff. Until the evidence is presented plaintiff believes that the seizing of his property and the harassment that occurred afterwards are violations of his Constitution secured rights in the following ways:

- Plaintiff believes that despite the denominations or sum of plaintiff's property the property cannot be used to establish probable cause that the property is related to some drug transaction because no drugs were found nor was plaintiff charged with anything during the incident. Plaintiff also believes that he has a natural liberty to ride as he deems fit.
- The 5th Amendment states that citizens cannot be deprived of their personal property without due process of law, the elements of which are essentially a certain amount of steps. Plaintiff believes that due process and the Supreme Law are synonymous but judicial proceeding and due process are not necessarily synonymous.
- The Constitution states that all citizens have a right to life, liberty, and the pursuit of happiness. Plaintiff believes that this is an unalienable right meant to give emphasis to all other unalienable rights such as the right to earn a living and acquire personal property. Plaintiff believes that his personal property retains all the rights that plaintiff has and his right to his personal property cannot be infringed upon unless justified pursuant to the Constitution.
- The 4th Amendment establishes that probable cause must be supported by oath or affirmation. Plaintiff believes that an oath or affirmation is the epitome of a warrant or affidavit and absent a warrant one must prove that the action itself is justified under the Constitution and Supreme Law of the Land as it is written.

Plaintiff believes that the sole purpose of taking his property was to attempt to prove his property as evidence of a crime but no crime was committed during the stop neither is the property contraband. Plaintiff believes that in cases similar to this the U.S. Supreme Court has already determined that for any type of criminal purpose one would be trying to serve with the property the seizing of the property would be also be a violation of the citizen's 4th and 5th Amendment rights. Plaintiff believes he is entitled the immunities and privileges as those citizens.

- The 4th Amendment states that citizens have a right to be secure in their papers against unreasonable searches, and plaintiff believes that the action of searching plaintiff's papers does deprive plaintiff of the right secured in the constitution. Plaintiff also believes that the contrast in case-related situations presents the question of whether the action is based on color of law. Plaintiff does not believe that officers are allowed to fingerprint citizens, take pictures of the citizen, call and request information about the citizen, etc. during a stop based on traffic. Plaintiff believes that at this point during the incident the defendant is simply attempting to find something to take plaintiff to jail for. Plaintiff believes that these type of actions demonstrate that at some time during the stop the officer diverted from the reason for the stop and started conducting a criminal investigation. Plaintiff believes that in cases where an officer does divert from the reason for the stop and conducts actions consistent with criminal investigations it is determined a violation of the citizen's 4th and 5th Amendment rights for any type of criminal purpose attempting to be served.

Relief

I move the court for relief in monetary damages in the amount of $33,960 which includes $11,320 in actual damages and treble punitive damages in accordance with 15 U.S.C. 6604 together with any such further relief pursuant to 28 U.S.C. 2202 as the court may deem reasonable and just under the circumstances. I also move the court for relief through exemplary damages pursuant to 18 U.S.C.242, 18 U.S.C.241, and 42 U.S.C. 1983 as defendants are a public health risk and have deprived citizen of civil rights under color of law.

Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information and belief that this complaint (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law;(3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Executed October 7, 2020

_____

Jarvis O'Neil Adams (natural person)

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 19-13554-HH

JARVIS O'NEIL ADAMS,

Plaintiff - Appellant,

versus

OFFICE OF THE GOVERNOR,
State of Georgia,
OFFICE OF GREENE COUNTY SHERIFF,
OFFICER PAQUETTE,
Greene County Deputy Sheriff,
OFFICER JOHN DOE,
presumably McGammons, Greene County
Deputy Sheriff,

Defendants - Appellees.

Appeal from the United States District Court
for the Middle District of Georgia

ON PETITION(S) FOR REHEARING AND PETITION(S) FOR REHEARING EN BANC

BEFORE: WILSON, LAGOA, and ANDERSON, Circuit Judges.

PER CURIAM:

The Petition for Rehearing En Banc is DENIED, no judge in regular active service on the Court having requested that the Court be polled on rehearing en banc. (FRAP 35) The Petition for Rehearing En Banc is also treated as a Petition for Rehearing before the panel and is DENIED. (FRAP 35, IOP2)

ORD-42

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

August 11, 2020

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 19-13554-HH
Case Style: Jarvis Adams v. Office of the Governor, et al
District Court Docket No: 3:19-cv-00010-CAR

The enclosed order has been entered on petition(s) for rehearing.

See Rule 41, Federal Rules of Appellate Procedure, and Eleventh Circuit Rule 41-1 for information regarding issuance and stay of mandate.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Christopher Bergquist, HH/lt
Phone #: 404-335-6169

REHG-1 Ltr Order Petition Rehearing

APPEAL,PRO SE

U.S. District Court [LIVE AREA]
Middle District of Georgia (Athens)
CIVIL DOCKET FOR CASE #: 3:19-cv-00010-CAR

ADAMS v. OFFICE OF THE GOVERNOR et al
Assigned to: US DISTRICT JUDGE C ASHLEY ROYAL
Cause: 42:1983 Civil Rights Act

Date Filed: 01/28/2019
Date Terminated: 08/13/2019
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

JARVIS O'NEIL ADAMS

represented by **JARVIS O'NEIL ADAMS**
525 LAWRENCE CIRCLE
BATESBURG, SC 29006
803-604-7966
PRO SE

V.

Defendant

OFFICE OF THE GOVERNOR
State of Georgia

represented by **WILLIAM PETERS**
40 CAPITOL SQ SW
ATLANTA, GA 30334
404-656-6710
Fax: 404-651-5304
Email: wpeters@law.ga.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

OFFICE OF GREENE COUNTY SHERIFF

Defendant

OFFICER PAQUETTE
Greene County Deputy Sheriff

Defendant

OFFICER JOHN DOE
presumably McGammons, Greene County Deputy Sheriff

Date Filed	#	Page	Docket Text
01/28/2019	1		COMPLAINT against All Defendants, filed by JARVIS O'NEIL ADAMS. (Attachments: # 1 Exhibit Property Receipt and Notice of Seizure, # 2 Civil

			Cover Sheet, # 3 Envelope)(ggs) (Entered: 01/28/2019)
01/28/2019	2		MOTION for Leave to Proceed in forma pauperis Filed by JARVIS O'NEIL ADAMS. (Attachments: # 1 Proposed Summonses, # 2 Envelope)(ggs) (Entered: 01/28/2019)
01/28/2019	3		Consent Form (28 USC 636(c)(1)) sent to JARVIS O'NEIL ADAMS (ggs) (Entered: 01/28/2019)
03/07/2019	4		NOTICE of Attorney Appearance by WILLIAM PETERS on behalf of OFFICE OF THE GOVERNOR Attorney WILLIAM PETERS added to party OFFICE OF THE GOVERNOR(pty:dft) (PETERS, WILLIAM) (Entered: 03/07/2019)
04/19/2019	5		***ORDER*** denying without prejudice 2 Motion for Leave to Proceed in forma pauperis. The Clerk is hereby DIRECTED to provide Plaintiff with the correct IFP application form, AO239 Application to Proceed without Prepaying Fees (IFP) Non-Prisoner Long Form. Ordered by US DISTRICT JUDGE C ASHLEY ROYAL on 4/19/2019 (lap) Modified on 4/19/2019 (lap). (Entered: 04/19/2019)
05/06/2019	6		MOTION for Leave to Proceed in forma pauperis Filed by JARVIS O'NEIL ADAMS. (Attachments: # 1 Envelope)(ggs) (Additional attachment(s) added on 5/6/2019: # 2 Exhibit Checking Account Statements, # 3 Exhibit Retail License and Billing Statements) (ggs). (Entered: 05/06/2019)
05/06/2019	7		Letter from JARVIS O'NEIL ADAMS regarding enclosing copies of a Notice of Improper Venue and Motion for Default Judgment filed in State Court re 1 Complaint (Attachments: # 1 Notice of Improper Venue and Lack of Jurisdiction, # 2 Motion for Default Judgment, # 3 Envelope)(ggs) (Entered: 05/06/2019)
05/20/2019	8		NOTICE of Activity by JARVIS O'NEIL ADAMS re 1 Complaint (Attachments: # 1 Exhibit Default Judgment (Superior Court of Greene County), # 2 Envelope)(ggs) (Entered: 05/20/2019)
08/12/2019	9		***ORDER*** granting 6 Motion for Leave to Proceed in forma pauperis and Dismissing Plaintiff's Complaint With Prejudice. Ordered by US DISTRICT JUDGE C ASHLEY ROYAL on 08/12/2019 (lap) (Entered: 08/12/2019)
08/13/2019	10		***JUDGMENT*** (ggs) (Entered: 08/13/2019)
09/10/2019	11		NOTICE OF APPEAL as to 10 Judgment by JARVIS O'NEIL ADAMS. (Attachments: # 1 Envelope)(ggs) (Entered: 09/10/2019)