

INDEX TO APPENDICES

APPENDIX A Eleventh District Court of Appeal Judgment

APPENDIX B Eleventh District Court of Appeals Opinion

APPENDIX C United District Court Final Order

APPENDIX D Motion for Reconsideration/Rehearing-Order of Denial

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 21-10825-CC

CAROLYN L. FIELDS,

Plaintiff - Appellant,

versus

HUNTER CONRAD,
St. Johns County Administrator
(Former Clerk of Courts for St Johns County),
BRAD BRADLEY,
In House Counsel for the Board of County Commissioners
(Former in House Counsel for the Clerk of Courts, Hunter Conrad),
CATHY ROCHE,
Officer of Operations,
BRANDON PATTY,
Clerk of Courts for St. Johns County,
ASHANTE AUSTIN,
Executive Secretary for the Clerk of Courts, et al.,

Defendants - Appellees.

On Appeal from the United States
District Court for the Middle District of Florida

BEFORE: LAGOA, BRASHER, and HULL, Circuit Judges.

BY THE COURT:

Appellant's amended motion for reconsideration, which seeks reconsideration of the Court's October 21, 2022 order denying Appellant's motion to recall the mandate, is DENIED.

Appendix D'

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 21-10825-CC

CAROLYN L. FIELDS,

Plaintiff - Appellant,

versus

HUNTER CONRAD,
St. Johns County Administrator
(Former Clerk of Courts for St Johns County),
BRAD BRADLEY,
In House Counsel for the Board of County Commissioners
(Former in House Counsel for the Clerk of Courts, Hunter Conrad),
CATHY ROCHE,
Officer of Operations,
BRANDON PATTY,
Clerk of Courts for St. Johns County,
ASHANTE AUSTIN,
Executive Secretary for the Clerk of Courts, et al.,

Defendants - Appellees.

On Appeal from the United States
District Court for the Middle District of Florida

BEFORE: LAGOA, BRASHER, and HULL, Circuit Judges.

BY THE COURT:

Before the Court are Appellant's "Motion to Recall the Mandate" and Appellant's "Motion to Include the Certificate of Interested Persons with the Request for Review and the Motion to Recall the Mandate."

Appellant's "Motion to Include the Certificate of Interested Persons with the Request for Review and the Motion to Recall the Mandate" is DENIED AS MOOT as a Certificate of Interested Persons was filed with "Motion to Recall the Mandate."

Appellant's "Motion to Recall the Mandate" is DENIED.

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 21-10825

Non-Argument Calendar

CAROLYN L. FIELDS,

Plaintiff-Appellant,

versus

HUNTER CONRAD,

St. Johns County Administrator

(Former Clerk of Courts for St. Johns County),

BRAD BRADLEY,

In House Counsel for the Board of County Commissioners

(Former in House Counsel for the Clerk of Courts, Hunter Conrad),

CATHY ROCHE,

Officer of Operations,

BRANDON PATTY,

Clerk of Courts for St. Johns County,
ASHANTE AUSTIN,
Executive Secretary for the Clerk of Courts, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 3:20-cv-01158-MMH-MCR

Before LAGOA, BRASHER, and HULL, Circuit Judges.

PER CURIAM:

Carolyn L. Fields, *pro se*, appeals the district court's order dismissing her third amended complaint with prejudice as a shotgun pleading. Although given three opportunities to correct problems with her pleadings, Fields's third amended complaint is 84 pages long, sues 28 defendants, contains over 1,000 numbered paragraphs, and does not identify which of the 28 defendants are liable for what conduct. After review of the events and court orders in this case, we conclude the district court did not abuse its discretion in concluding that Fields's third amended complaint was a shotgun pleading and in dismissing it with prejudice.

I. BACKGROUND

We take time to review the procedural history that shows how the district court gave Fields three opportunities to comply with the applicable rules.

A. Original Complaint Is Stricken

Fields was previously employed as a deputy clerk in the office of the Clerk of Courts in St. Johns County, Florida. Her employment was terminated on January 21, 2020.

On October 14, 2020, Fields filed the present suit against Hunter Conrad, former Clerk of Courts for St. Johns County; Brad Bradley, former in-house counsel for Hunter Conrad; Brandon Patty, current Clerk of Courts for St. Johns County; Yolanda Mack, recording manager for the Clerk of Courts for St. Johns County; Judge Howard Maltz; and 22 other defendants, all employees or officials of agencies of St. Johns County, Florida, or the state circuit court based in the county. In her initial complaint, Fields alleged employment discrimination and a hostile work environment based on her race, age, and disability, and also retaliation. Her complaint did not include separate counts or numbered paragraphs, and it presented few factual allegations. Fields alleged that she was demoted by defendant Mack, who decreased her pay by \$3.65 per hour, and that Mack and other coworkers laughed at her. She also alleged defendant Conrad suspended her for 10 days without pay

and placed her on six months of probation after she was falsely reported by a supervisor for abandoning her job.¹

On October 15, 2020, prior to service of process, the district court *sua sponte* reviewed Fields's initial complaint and struck it for failing to comply with Rules 8 and 10 of the Federal Rules of Civil Procedure. Fields's complaint, the district court found, failed to (1) utilize numbered paragraphs, (2) separate claims into separate counts, and (3) set forth specific allegations as to the 27 named defendants. In that same order, the district court instructed Fields to file an amended complaint consistent with its directives by November 13, 2020.

A magistrate judge likewise entered an order explaining to Fields certain procedural requirements applicable to all litigants, including *pro se* ones. The magistrate judge cautioned Fields "that she must abide by and comply with all orders of this Court" and failure to do so may result in the dismissal of her case.

B. First Amended Complaint Is Stricken

On October 26, 2020, Fields filed an amended complaint, again suing the same 27 defendants and separating her claims into nine counts. In particular, Fields alleged (1) race discrimination,

¹ That same day, Fields also filed a separate motion for an injunction to (1) keep the 26 defendants 500 feet away from Fields and her family; and (2) prohibit any contact between the defendants and Fields and her family. The district court denied Fields's motion for an injunction because it, among other things, "fail[ed] to comply with nearly all of the applicable Local Rules."

(2) torture, (3) harassment, (4) punishment, (5) control/binding, (6) humiliation, (7) retaliation, (8) negligence, and (9) defamation. Fields attached several exhibits, including documents from the Florida Commission on Human Relations, a final written warning from the County Clerk of Courts, an email to her supervisor, an email to Judge Maltz, a formal revocation of her designation as a deputy clerk, and a 2017 disciplinary notice concerning her.

On November 2, 2020, prior to service of process, the district court *sua sponte* reviewed Fields's first amended complaint and found that she had not complied with its October 15, 2020 order. The district court determined that although the first amended complaint contained numbered counts, Fields "fail[ed] to set forth her factual allegations in numbered paragraphs," and instead included "a lengthy narrative of the alleged facts supporting her claims, a portion of which appears to bear no relation to this lawsuit." Further, Fields's first amended complaint was unclear about which claims were asserted against which defendants and what conduct supported each claim. The district court noted that Fields could not bring claims under Title VII against individual coworkers.

Accordingly, the district court struck Fields's first amended complaint for failure to comply with the requirements of Rules 8 and 10, and it provided Fields "with one final opportunity to properly draft her pleadings."

C. Second Amended Complaint Is Stricken

On November 25, 2020, Fields filed a second amended complaint, bringing claims against the same 27 defendants, raising the same counts as in the first amended complaint, and setting forth her factual allegations in 306 numbered paragraphs.

On December 17, 2020, the district court held a telephonic hearing with Fields to discuss her second amended complaint. The district court explained to Fields that her second amended complaint had the same problems as the first two complaints, namely: it (1) brought Title VII claims against individual coworkers, and (2) “muddled together” claims that make it impossible to identify what the claims are. Although the district court noted that Fields’s second amended complaint “made a greater effort” to identify which claims she intended to bring against each defendant, the complaint still failed to explain how those individuals were liable. The district court then explained the difference between factual allegations and conclusory statements, directing Fields to plead plausible facts sufficient to show that the defendants were liable.

Also on December 17, the district court struck Fields’s second amended complaint and gave her “one final opportunity” to amend.

D. Dismissal of Third Amended Complaint with Prejudice

On February 17, 2021, Fields filed a third amended complaint, which was 84 pages long, added another defendant to the same prior 27 defendants, and contained over a thousand

numbered paragraphs. In her third amended complaint, Fields stated that she was suing for racial discrimination pursuant to Title VII, the Age Discrimination in Employment Act, and the Americans with Disabilities Act. However, the third amended complaint expressly alleged only one count—intentional infliction of emotional distress.

In support of her claim, Fields alleged, among other things, that: (1) in November 2017, defendant Conrad suspended her without pay for one day after she emailed a judge to request that her name and address be taken off of a public court document; (2) in August 2019, defendant Conrad suspended her without pay for ten days and placed her on probation for six months for leaving work early to pick up the ashes of a deceased pet, despite having permission to do so, and for false reports by coworkers that she had screamed in the office, slammed a door, and thrown objects across her desk; and (3) in November 2019, she was told she could not get drinks from the facility’s vending machine unless on break even though she provided a doctor’s note that she was diabetic. Fields also alleged myriad facts unrelated to her employment, attached 35 exhibits, and referred to the Thirteenth, Fourteenth, Fifteenth, Seventeenth, and Nineteenth Amendments to the United States Constitution.

The district court dismissed Fields’s third amended complaint with prejudice. After summarizing the events leading up to the filing of the third amended complaint, the district court found the complaint “contain[ed] even more egregious violations of

Rules 8 and 10 than [Fields's] prior attempts.” The district court noted that the third amended complaint was “replete with rambling, disjointed allegations bearing no apparent connection to any discernible claim.”

The district court determined that the third amended complaint was a shotgun pleading because it (1) was “full of conclusory, vague, and immaterial facts not obviously connected to any particular cause of action”; (2) failed to separate each cause of action into different counts; and (3) “assert[ed] multiple claims against multiple defendants without specifying which of the defendants . . . the claim [wa]s brought against.” Indeed, the district court found that despite three opportunities to amend, the problems in the complaint had only gotten worse. Therefore, the district court found that Fields was “unable or unwilling to comply” with the district court’s directives.

Fields, *pro se*, timely appealed.

II. STANDARD OF REVIEW

We review a dismissal of a complaint as a shotgun pleading for abuse of discretion. *Barmapov v. Amuial*, 986 F.3d 1321, 1324 (11th Cir. 2021). “*Pro se* pleadings are held to a less stringent standard than pleadings drafted by attorneys and will, therefore, be liberally construed.” *Henley v. Payne*, 945 F.3d 1320, 1327 (11th Cir. 2019) (quoting *Tannenbaum v. United States*, 148 F.3d 1262, 1263 (11th Cir. 1998)). However, *pro se* litigants are still required to

conform to procedural rules. *Albra v. Advan, Inc.*, 490 F.3d 826, 829 (11th Cir. 2007).

As is the case for represented parties, *pro se* litigants abandon an issue if they fail to brief it on appeal. *Timson v. Sampson*, 518 F.3d 870, 874 (11th Cir. 2008). To avoid abandonment, a party must plainly identify the issues or claims that they seek to raise on appeal. *Sapuppo v. Allstate Floridian Ins. Co.*, 739 F.3d 678, 680–81 (11th Cir. 2014).

III. DISCUSSION

A. Rules 8(a)(2) and 10(b)

Under Rule 8(a)(2), a complaint “must contain . . . a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). Under Rule 10(b), a complaint “must state its claims . . . in numbered paragraphs, each limited as far as practicable to a single set of circumstances.” Fed. R. Civ. P. 10(b). The purpose of these rules is “to require the pleader to present [her] claims discretely and succinctly, so . . . [her] adversary can discern what [she] is claiming and frame a responsive pleading.” *Weiland v. Palm Beach Cnty. Sheriff’s Office*, 792 F.3d 1313, 1320 (11th Cir. 2015) (quotation marks omitted).

Complaints that violate either Rule 8(a)(2) or Rule 10(b), or both, are considered shotgun pleadings. *Id.* Shotgun pleadings include complaints that: (1) “contain[] multiple counts where each count adopts the allegations of all preceding counts”; (2) do not re-allege all the counts but are “replete with conclusory, vague, and

immaterial facts not obviously connected to any particular cause of action”; (3) do not separate each cause of action or claim for relief into separate counts; or (4) in a multi-defendant action, assert counts that present a claim for relief without specifying which defendants the claim is brought against. *Id.* at 1321–23.

District courts have the inherent authority to dismiss a complaint on shotgun-pleading grounds. *Vibe Micro, Inc. v. Shabanets*, 878 F.3d 1291, 1295 (11th Cir. 2018). When a litigant files a shotgun pleading and fails to request leave to amend, a district court must *sua sponte* provide the plaintiff with one chance to replead before dismissing the case with prejudice on shotgun-pleading grounds. *Id.*

B. Analysis

In this appeal, the main issue is whether Fields’s third amended complaint was a shotgun pleading. Fields’s briefs detail and reiterate many of the facts relating to her employment by the Clerk of Courts of St. Johns County, including her disagreements with individuals in that office prior to her termination. However, at no point in either her initial or amended brief does Fields expressly refer to the district court’s findings that (1) her third amended complaint was a shotgun pleading, and (2) she had failed to comply with the district court’s earlier orders or procedural directives as to her pleadings. Therefore, we must conclude that Fields abandoned the issue. *See Timson*, 518 F.3d at 874.

Even if Fields did not abandon the issue on appeal, we conclude that the district court did not abuse its discretion in dismissing her third amended complaint as a shotgun pleading. Indeed, her third amended complaint fell squarely within three of the four categories of shotgun pleadings this Court has identified. The vast majority of the complaint contained legal conclusions, vague opinions, and immaterial facts. *See Weiland*, 792 F.3d at 1322. The complaint also grouped various claims and legal theories—discrimination, retaliation, and more—into a single count of intentional infliction of emotional distress, and it failed to identify which of the 28 individual defendants were liable for what conduct. *See id.* at 1323.

Further, the district court provided Fields with two written orders warning of her complaints' deficiencies, held a telephonic hearing to explain those deficiencies, and gave repeated opportunities to address the deficiencies. Fields did not do so despite being warned that her complaint may be dismissed as a result. Accordingly, the district court did not abuse its discretion in dismissing Fields's third amended complaint with prejudice.

AFFIRMED.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

CAROLYN L. FIELDS,

Plaintiff,

Case No. 3:20-cv-1158-MMH-MCR

vs.

HUNTER CONRAD, et al.,

Defendants.

COPY

O R D E R

THIS CAUSE is before the Court sua sponte. Plaintiff Carolyn L. Fields initiated this action on October 14, 2020, by filing a Complaint for Employment Discrimination (Doc. 1; Complaint) against numerous Defendants. On October 15, 2020, the Court struck the Complaint for failure to comply with Rules 8 and 10 of the Federal Rules of Civil Procedure (Rule(s)). See Order (Doc. 5) at 3-6. In the Order, the Court explained some of the rules of pleading that apply in federal court and highlighted myriad problems with the Complaint as drafted. For example, the Court noted that:

although Plaintiff's Complaint appears to be premised primarily on claims of race discrimination and hostile work environment, she also makes references to age discrimination, retaliation and 'perceived disability' discrimination, such that it is unclear to the Court what claim or claims Plaintiff actually intends to raise in this action or the specific facts allegedly supporting each of those claims.

Appendix C

See Order at 5. The Court also observed that Plaintiff named numerous Defendants without setting forth “specific allegations with respect to each Defendant” making it “impossible to discern what these Defendants are alleged to have done and which claims are asserted against them.” Id. As a result of these and other deficiencies, the Court instructed Plaintiff to file an amended complaint which “utilize[s] numbered paragraphs, separate counts, and describe[s] in sufficient detail the factual basis for each of her claims and how each Defendant is responsible.” Id. at 5-6.

On October 26, 2020, Plaintiff filed an Amended Complaint for Racial Discrimination (Doc. 9; Amended Complaint). Upon review of the Amended Complaint, the Court found that Plaintiff had failed to comply with the directives of the Court’s October 15, 2020 Order. Although Plaintiff utilized separate counts to assert various purported causes of action, she failed to set forth her factual allegations in numbered paragraphs. Instead, Plaintiff wrote a lengthy narrative of the alleged facts supporting her claims, a significant portion of which appeared to bear no relation to this lawsuit. See Amended Complaint at 5-7, 8-17. In addition, it still remained unclear which claims were asserted against which Defendants and the specific conduct which Plaintiff contended supported any particular claim. The Court explained these and other problems with Plaintiff’s Amended Complaint in a second written Order (Doc.

12) entered November 2, 2020. In the November Order, the Court struck the Amended Complaint and directed Plaintiff to file a second amended complaint consistent with the directives of the Order. See Order (Doc. 12) at 4. The Court cautioned Plaintiff that “[f]ailure to do so may result in a dismissal of this action.” Id.

On November 25, 2020, Plaintiff filed her Second Amended Complaint for Racial Discrimination (Doc. 13; Second Amended Complaint). Upon review, the Court found that Plaintiff again had failed to comply with the pleading requirements outlined in its prior Orders. To address the ongoing deficiencies, the Court held a hearing on December 17, 2020, at which Plaintiff appeared via telephone. See Minute Entry (Doc. 17), filed December 17, 2020. At the hearing, the Court struck the Second Amended Complaint and endeavored, at length, to explain to Plaintiff the problems with her pleadings and the Rules with which she must comply to adequately state a claim for relief in federal court. The Court provided Plaintiff one final opportunity to file an appropriate complaint.

Plaintiff filed her Third Amended Complaint for Racial Discrimination (Doc. 21) on February 17, 2021. Upon review of the Third Amended Complaint, the Court finds that this pleading contains even more egregious violations of Rules 8 and 10 than Plaintiff’s prior attempts. The Third Amended Complaint is 84 pages long, with paragraphs numbering in the thousands, names twenty-

eight individual Defendants, and appears to span time frames both long before and well after the events which, as best the Court can tell, were the impetus for this lawsuit. Rather than heed the Court's instructions, Plaintiff has only exacerbated the problems present in her first three attempts at pleading.¹

The Third Amended Complaint is replete with rambling, disjointed allegations bearing no apparent connection to any discernible claim. Indeed, because Plaintiff fails to use clearly separated, numbered counts, it is difficult to decipher what claim or claims Plaintiff is attempting to assert in this action, much less who each claim is asserted against or what conduct forms the basis of that claim. Thus, despite four attempts, two Court Orders, and an hour-long hearing, Plaintiff's Third Amended Complaint still fails to comply with the pleading Rules.

The Eleventh Circuit Court of Appeals has a term for complaints which violate Rules 8 and 10 in the ways discussed in this and the prior Orders—

¹ In its November 2, 2020 Order and again at the Hearing, the Court explained to Plaintiff that pursuant to Eleventh Circuit precedent, she cannot hold her co-workers individually liable for race discrimination under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*, rather she must sue her former employer. See Order at 2 n. 1 (citing Busby v. City of Orlando, 931 F.2d 764, 772 (11th Cir. 1991) (“Individual capacity suits under Title VII are . . . inappropriate. The relief granted under Title VII is against the employer, not individual employees whose actions would constitute a violation of the Act. We think the proper method for a plaintiff to recover under Title VII is by suing the employer . . . ”) (internal citations omitted)). Nevertheless, in the Third Amended Complaint, Plaintiff does not name her former employer as a defendant, but rather lists twenty-eight individuals; one more than she named in the Second Amended Complaint, who appear to have at some point, past or present, been affiliated with her former employer.

shotgun pleadings. See Tran v. City of Holmes Beach, 817 F. App'x 911, 913 (11th Cir. 2020). Significantly, although pro se pleadings such as Plaintiff's are construed more liberally than those drafted by attorneys, the Eleventh Circuit regardless has "little tolerance for shotgun pleadings." See Arrington v. Green, 757 F. App'x 796, 797 (11th Cir. 2018). Plaintiff's Third Amended Complaint is an egregious example of three of the four types of shotgun pleadings recognized in the Eleventh Circuit. The Third Amended Complaint is "full of conclusory, vague, and immaterial facts not obviously connected to any particular cause of action," it "does not separate each cause of action or claim for relief into different counts," and it "asserts multiple claims against multiple defendants without specifying which of the defendants is responsible for which acts or omissions, or which of the defendants the claim is brought against." Id. Ultimately, as with all types of shotgun pleadings, the Third Amended Complaint fails "to give the defendants adequate notice of the claims against them and the grounds upon which each claim rests." Id. (quoting Weiland v. Palm Beach Cnty. Sheriff's Office, 792 F.3d 1313, 1320 (11th Cir. 2015)).

Significantly, this Court has the "inherent authority to dismiss a complaint on shotgun-pleading grounds." Sarhan v. Miami Dade Coll., 800 F. App'x 769, 772 (11th Cir. 2020). Before doing so, "the district court must first explain how the pleading violates the shotgun-pleading rule and give the

plaintiff at least one opportunity to re-plead the complaint.” See Arrington, 757 F. App’x at 797. Where the pleader fails to remedy the problem after being given a chance to do so, dismissal of a shotgun pleading with prejudice is warranted. See Tran, 817 F. App’x at 915. Here, the Court has provided Plaintiff not one, or even two, but three chances to remedy the pleading deficiencies in her Complaints and the problems have only gotten worse. On this record, the Court is convinced that Plaintiff is unable or unwilling to comply with the Court’s directives and that nothing less than dismissal will suffice. See Sarhan, 800 F. App’x at 772. “Even pro se plaintiffs must comply with pleading rules or face judgment day,” Tran, 817 F. App’x at 915, and for Plaintiff, that day has come. Despite the Court’s guidance on the problems with her Complaints, and multiple opportunities to fix those deficiencies, the Third Amended Complaint remains an indecipherable shotgun pleading. Accordingly, it is

ORDERED:

1. Plaintiff’s Third Amended Complaint is **DISMISSED WITH PREJUDICE.**

2. The Clerk of the Court is directed to terminate any deadlines or pending motions as moot and close the file.

DONE AND ORDERED in Jacksonville, Florida, this 25th day of February, 2021.



MARCIA MORALES HOWARD
United States District Judge

lc11

Copies to:

Counsel of Record
Pro Se Parties

CAROLYN L FIELDS
Plaintiff,
VS.
HUNTER CONRAD, et al,
Defendants.

THE ELEVENTH COURT OF APPEALS, ATLANTA
GEORGIA

CASE No. 21-10825

**AMENDED MOTION FOR RECONSIDERATION OF THE MOTION TO RECALL THE
MANDATE AND THE COURT'S OPINION**

COMES Now Carolyn L. Fields, Plaintiff in the above captioned case. Moves the court to reconsider its Opinion dated February 1, 2022 and Order Denying Motion to Recall the Mandate dated October 21, 2022.

Grounds for this Motion are as follows:

- 01). The Eleventh District Court of Appeals' has Jurisdiction over this case.
- 02). The Plaintiff, Carolyn L Fields, is Pro Se.
- 03). After contacting four attorneys for assistance, not one would represent the Plaintiff.
- 04). This process has been long and somewhat cumbersome. Which meant the Plaintiff endured many hours of time, as well as money to get this case off the ground.
- 05). After the process began the Plaintiff, Carolyn L Fields' phone was stolen and reported to the authorities.
- 06). This phone was the means by which the Plaintiff, Carolyn L Fields, relied on communication with the Court. Via phone and email.
- 07). The theft of the Plaintiff, Carolyn L Fields' phone, led her to rely on the U.S. Mail for any and all future correspondence with the court.
- 08). Yet, the Plaintiff, Carolyn L Fields received not one piece of mail through the U.S. Postal System, prior to filing her Motion to Recall the Mandate.
- 09). Initially, there were some argument in regards to the Certificate of Interested persons, not being filed in a timely manner. The Clerk's docket reflects the CIP, properly and timely filed. This document, also reflects the Clerk at the 11th District Court of Appeals', time stamp.
- 10). This was referenced in a motion of sorts to the court. In addition, the Plaintiff, Carolyn L, Fields Mentioned to the court to allow her to return to all paper documents. The Court agreed.

Law(s).

- 24). The courthouse should be a place of peace. Where for the most part the Plaintiff, Carolyn L Fields had very little. Yet, she did her job with flying colors, everyday. Then to end up fired.
- 25). At the Hand of Hunter Conrad. THe Plaintiff, Carolyn L Fields suffered constant "Infliction of Emotional Pain: Which included: Harrassment, discrimination, intimidation and torture.
- 26). The main issue was the Plaintiff, Carolyn L Fields walked off the job without permission.
- 27). The Plaintiff, Carolyn L Fields worked as a supervisor at this very facility. Therefore, the Plaintiff, knew that Just as a supervisor when leaving she had to get the consent or permission of upper management. The plaintiff, Carolyn L Fields was knowledgeable that anyone in her ranking, past and present needed consent.
- 28). The Courthouse is where I worked is where people go to get justice. The Plaintiff, Carolyn L Fields worked at this establishment for over thirty (30) years. The Plaintiff, Carolyn L Fields worked the grind there. Yet, for some reason, it appears that the Plaintiff can't get any justice. Why?
- 29). All Lives matter. That would include "Black Lives." I did not make myself black. I just happen to be black.
- 30). Did I, the Plaintiff, Carolyn L Fields fail? Did the Courts fail themselves? Did the Courts fail society, as a whole?
- 31). General and Congressman Jamal A Garfield once said "Let us not commit ourselves to the "Absurd and seamless Dogma, that the "Color of the skin, shall be the basis of suffrage"

Wherefore, the Plaintiff, Carolyn L Fields, respectfully moves the Court to Reconsider its Opinion dated February 1, 2022 and Order Denying Motion to recall the Mandate dated October 21, 2022. To Modify the Order to grant relief to the Plaintiff, Carolyn L Fields.

This 16th day of November 2022

Respectfully Submitted,

Carolyn L Fields
P O Box 138
Elkton, Florida 32033
(904) 209-8955
carfields13@gmail.com

This is to certify that I, Carolyn L Fields has on this date November 16, 2022, served a true and correct copy of the above foregoing motion to Hunter Conrad, % Brandon Patty, present Clerk of Courts by U.S. mail, postage fully prepaid to the following address: 4010 Lewis Speedway, St Augustine, Florida 32084.

Dated November 16th, 2022.



Carolyn L Fields
P O Box 138
Elkton, Florida 32033
(904) 209-8955
carfields13@gmail.com

Note: Attachments



State of Florida
Florida Commission on Human Relations
An Equal Opportunity Employer • Affirmative Action Employer



Ron DeSantis
Governor

4075 Esplanade Way • Room 110 • Tallahassee, Florida 32399-7020
(850) 488-7082 / FAX: (850) 487-1007
<http://fchr.state.fl.us>

United in One Goal: Equal Opportunity and Mutual Respect

Michelle Wilson
Executive Director

FCHR No.: 202022497
EEOC No.: 15D202000595

CERTIFIED MAIL RECEIPT 91 7199 9991 7033 7534 0046

Carolyn L. Fields
P.O. Box 138
Elkton, FL, 32033

COMPLAINANT

St. Johns County Clerk of Courts
c/o Mr. John Dickinson
200 West Forsyth Street Suite 1700
Jacksonville, Florida 32202

RESPONDENT

NOTICE OF RIGHTS

The Florida Commission on Human Relations (Commission) was unable to conciliate or make a reasonable cause determination within 180 days of the filing of the complaint in this matter. Therefore, pursuant to sections 760.11(4) and (8), *Florida Statutes*, the complainant may now either:

- (1) Bring a civil action against the person named in the complaint in any court of competent jurisdiction **WITHIN ONE YEAR** of the date of this notice; or
- (2) Request an administrative hearing with the Division of Administrative Hearings under sections 120.569 and 120.57, *Florida Statutes*, by filing a Petition for Relief **WITHIN 35 DAYS** of the date of this notice. A blank Petition for Relief form is enclosed.

The complainant is encouraged to consult with private legal counsel in order to determine the best course of action. The Commission will take no further action, and this matter will be closed if a Petition for Relief is not received within 35 days.

CERTIFICATE OF SERVICE

COMMISSIONERS

Monica Cepero
Fort Lauderdale

Donna Elam
Port Richey

Libby Farmer
Tallahassee

Mario Garza
Lakewood Ranch

Dawn Hanson
Tallahassee

Larry Hart
Fort Myers

AL McCambray
Lynn Haven

Derrick McGhee
Tallahassee

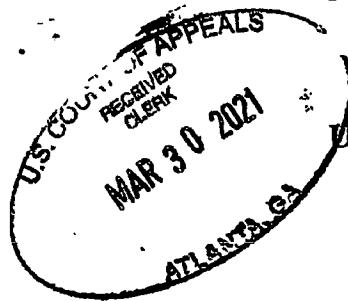
Jay Pichard
Tallahassee

Angela Primiano
Hollywood

Gilbert Singer
Tampa

I HEREBY CERTIFY that a copy of the foregoing NOTICE OF RIGHTS was filed at Tallahassee, Florida and sent to the above-named addressees this 14th day of Sept., 2020, by U.S. Mail.

BY: James Barber
Clerk of the Commission



U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

**CERTIFICATE OF INTERESTED PERSONS
AND CORPORATE DISCLOSURE STATEMENT (CIP)**

Carolyn L Fields vs. **Hunter Conrad, et al** **Appeal No. 21-10825-A**

11th Cir. R. 26.1-1(a) requires the appellant or petitioner to file a Certificate of Interested Persons and Corporate Disclosure Statement (CIP) with this court within 14 days after the date the case or appeal is docketed in this court, and to include a CIP within every motion, petition, brief, answer, response, and reply filed. Also, all appellees, intervenors, respondents, and all other parties to the case or appeal must file a CIP within 28 days after the date the case or appeal is docketed in this court. **You may use this form to fulfill these requirements.** In alphabetical order, with one name per line, please list all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of this case or appeal, including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party's stock, and other identifiable legal entities related to a party.

(please type or print legibly):

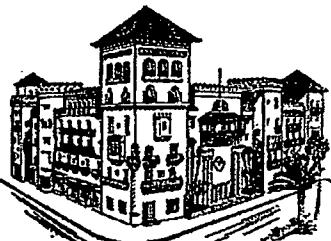
Carolyn L Fields, and no other certain or specific defendant or defendants with specific knowledge.

A formal charge was filed by the state of Florida. The Commission on Human Relations and the EEOC Retaliation was also, filed as an additional claim.

1). A copy of the formal charge from the Commission of Human Relations. Filed on February 5, 2020 (Copy provided).

2). A Right to Sue Letter signed on September 14, 2020 (Copy provided).

Dated: March 25, 2021
Carolyn Fields Rev.: 12/20



St. Johns County Courthouse
PHONE 904/824-8131

CARL "BUD" MARKEL
Clerk of the Circuit Court
HISTORICAL ST. JOHNS COUNTY
POST OFFICE DRAWER 300
ST. AUGUSTINE, FLORIDA
32085

MEMORANDUM

TO: Kathy Jones, Sandra Willis, Jean Jackson, Tony Pacetti, Carolyn Fields, Cynthia Boyd, Linda Platt, Cheryl Kent, Chief Deputy, Thomas Dirghalli, Dir. of Court Operations, Terri Forson, Personnel, Beverly Tedder, Supervisor of Court Services, Emily Mier, Supervisor of Cash Management, and Michael Givens, Finance Director, George Lareau

FROM: Carl "Bud" Markel, Clerk of the Circuit Court

DATE: August 29, 1990

SUBJECT: Employee Re-assignments

[Handwritten signature of Carl "Bud" Markel is written across the right side of the text block]

Effective Monday, September 10, 1990 the following employees will assume new duties as outlined below.

Ms. Kathy Jones will report to the Court Services Division for duties to be assigned by Mrs. Beverly Tedder.

Mrs. Sandra Willis will report to the Juvenile Division for duties to be assigned by Mrs. Beverly Tedder.

Ms. Jean Jackson will report to the Small Claims Division for duties to be assigned by Mr. George Lareau.

Mr. Tony Pacetti will report to the Court Services Department for duties to be assigned by Mrs. Beverly Tedder.

Mrs. Carolyn Fields will report to the Witness Coordination Department for duties to be assigned by Mrs. Beverly Tedder.

Miss Cynthia Boyd will report to the Finance Department for duties to be assigned by Mr. Michael Givens.

Mrs. Linda Platt will report to Mr. Thomas Dirghalli for duties to be assigned as a Bond Clerk.

Petitioners: J. J. 'A'

FIRST COAST ENDOCRINOLOGY, P.A.
ROBERT A. OESTERLE, M.D.
300 HEALTH PARK BOULEVARD, SUITE 300B
ST. AUGUSTINE, FL 32086
(904) 810-2425 TEL.
(904) 810-5321 FAX
BATCH # MD190510510466612
DEA # _____
LC. # _____

NAME Fields, Carolyn DOB _____
ADDRESS _____ DATE 1-19-19

TAMPER-RESISTANT SECURITY FEATURES LISTED ON BACK OF SCRIPT

R To whom it may concern,
Mrs. Fields is a
diabetic and may
require treatment for
hypoglycemia. This
complication can be
unpredictable and
requires glucose to
treat it, in the form
of a drink or food.

Label NONACUTE PAIN
Refill NR 1 ^{2 3 4 5} DRINK or FOOD ACRUTE PAIN EXCEPTION

(Signature)
In order for a brand name product to be dispensed the prescriber must write 'Medically Necessary' on the front of this prescription.

000724

9E12IM5104666

Petitioner is 10¹⁰ B.L.

Date: August 21, 2019

Name and Signature of person completing this form:

Bradley Holley
Brad Bradley Brittany Holley

Employee Name: Carolyn Fields

Job Title: Recording Clerk

Department: Recording

Immediate Supervisor: Jennifer Morris

Date of Incident(s): August 19, 2019

WRITTEN WARNING

FINAL WRITTEN WARNING

Type of Infraction:

Policy/Procedure Violation

Performance Transgression

Behavior/Conduct Infraction

Absenteeism/Tardiness

The purpose of this form is to formally document employee problems affecting performance and/or productivity. Examples include (but are not limited to) substandard work, absenteeism, tardiness, refusal to accept work assignments or follow instructions and failure to follow proper policies and procedures.

ALL FOUR SECTIONS MUST BE COMPLETED

1. Specifically, what are the problems or adverse actions necessitating this documentation? Include all dates, amounts, names, etc. as appropriate. Include information on previous performance counseling sessions, as appropriate. Include any previous documentation that pertains to this warning.

Violation of Clerk policy 701: disrespectful conduct (for slamming the door) and boisterous or disruptive activity in the workplace (for slamming objects on her desk causing another employee to ask what was going on).

2. Specifically, what corrective action is the employee expected to take?

You are to be respectful and act accordingly for an office environment. You are not to be disruptive to others and if you have an issue you are to follow the chain of command within your department. All departmental issues are to be discussed with your supervisors in a respectful manner. You are to follow all department rules. Additional improvements include the following:

Page 1 of 3
Petitioner's I.D. #

- (1) No personal phone calls or cell phone usage during work hours (phone may only be used during break or lunch time) as referenced in email dated August 19, 2019.
- (2) You will be on probation for one (1) year. ~~6 months~~ ~~12 months~~
- (3) You will utilize the timeclock for one (1) year. You must clock in the morning, leaving and returning from lunch, and in the evening. ~~6 months~~ ~~12 months~~
- (4) You must let your supervisor know when leaving and returning from breaks, you are allowed one fifteen (15) minute break in the morning and one fifteen (15) minute break in the afternoon, proper break procedure is to be followed as referenced in email dated March 11, 2019.
- (5) Your lunch break is set at 12:30pm and if you need to deviate you will need permission from your supervisor to ensure office coverage, as referenced in email dated February 8, 2019.
- (6) You are to follow the chain of command within the department. You will start with the supervisor in charge of the function in question, followed by the managers and ending with the chief (the chief will take further action if necessary). Refer to emails dated March 11, 2019 and June 21, 2019.

3. How will (supervisor/manager) assist in this process?

- (1) Have a discussion on Disruptive Conduct and its effects on the office.
- (2) Monitor your work and behavior performance for one (1) year.
- (3) Monitor your breaks, you must have permission from your supervisor prior to going on a break. You are to email all supervisors (supervisor, assistant manager and manager) when going on and returning from breaks.

4. Specifically cite the consequences of non-compliance with the corrective action plan above including length of time allowed for improvement and if applicable length of final notice.

Carolyn is expected to perform all aspects of her job in a satisfactory manner. If she is unable to perform any part of her job duties, she is to communicate such in a timely manner. Carolyn is to follow and abide by all items included in this improvement plan. Failure to perform her duties in a satisfactory manner and without incident will result in further disciplinary action up to and including termination. Carolyn will receive the rest of today and subsequent ten (10) days unpaid suspension for these policy violations of 701 for disrespectful conduct (for slamming the door) and (2) boisterous or disruptive activity in the workplace (for slamming objects on her desk causing another employee to ask what was going on).

EMPLOYEE COMMENTS (attach additional paper as necessary):

I understand The Clerk & Comptroller is an "at-will" employer, meaning that my employment has no specific term and that the employment relationship may be terminated any time at the will of either party on notice to the other. I also realize that The Clerk & Comptroller is opting to provide me with corrective action measures, and can terminate such corrective measures at any time, solely at its own discretion, and that the use of progressive discipline will not change my at-will employment status.

I acknowledge that the information contained herein has been presented to me and discussed with me by my supervisor. I have been given a copy of this notice. I acknowledge that the opportunity to use the Open Door Policy has been presented and discussed with me. I understand that I can provide a written response to this document, within 5 business days, to my supervisor.

Employee Signature: Carmen Fields Date: 9/16/19

Witness Signature (if applicable): D. May 2019 Date: 9/16/19

Anh Vu, M.D.

April 14, 2020

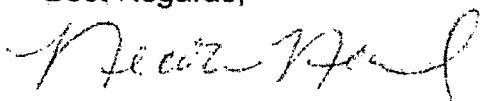
To Whom It May Concern:

On November 19, 2019, Carolyn Fields was under the care of Dr. Anh Vu for a follow up appointment at our office.

A few days following the November 19th appointment, Ms. Fields called the office and stated we were on speakerphone with her and her employer's human resources associate. Ms. Fields requested us to verify the November 19th appointment occurred and we verbally verified this was accurate.

Please contact our office with any further questions or concerns.

Best Regards,



Necole Neal
Practice Manager
Ph: 904.245.1320
Fx: 866.878.2261
anhvumd.com

Petition for ~~as filed~~ filed 4/14/2020

Carolyn Fields

From: Kim Dacosta
Sent: Monday, November 25, 2019 9:15 AM
To: Yolanda Mack; Carolyn Fields
Subject: timecard

Hi Yodi,

Carolyn's timecard is fixed you can run your numbers.

Carolyn,

You can approve your timecard now.

Thanks,
Kim



KIM DACOSTA

Human Resource Manager

Dedicated to Excellence-Committed to Improvement-Serving with Kindness

St. Johns County Clerk of Court and Comptroller

Richard O. Watson Judicial Center

4010 Lewis Speedway, St. Augustine, FL 32084

Ph. 904-819-3605 Fax 904-819-3665

Email: kdacosta@sjccoc.us Website: www.stjohnsclerk.com

This email is intended for the addressee(s) indicated above only. It may contain information that is privileged, confidential or otherwise protected from disclosure. Any dissemination, review, use of this email or its contents by persons other than the addressee is strictly prohibited. If you have received this email in error, please delete it immediately.

Yours
Petition is denied in the amount of \$100.00

LEAVE/EXCEPTION REQUEST

This is a sample of
what I gave
Brittany.

NAME: Carolyn Fields EMPLOYEE #: 70 TODAY'S DATE 11/25/19

DEPT# 1000

"Do not fill out any medical information on this leave request form, however; Human Resources may need additional information."

I HEREBY REQUEST 3.75 HOURS OF LEAVE TYPE 040 (SEE CODES BELOW)

FROM: 11/19/19 TIME 8:00 a.m. TO: 11/19/19 TIME 11:45 a.m.

LUNCH : NO YES IF YES: 30 MIN 60 MIN

ALTERNATE SCHEDULE: IN PUNCH OUT PUNCH IN PUNCH OUT PUNCH IN PUNCH OUT PUNCH

Carolyn Fields

EMPLOYEE'S SIGNATURE

 SUPERVISOR'S SIGNATURE

PAY CODES

002 OVERTIME
003 HOLIDAY
004 VACATION
006 SICK

009 BIRTHDAY
010 FUNERAL
012 OFFSITE HOURS
031 SEMINAR

040 FMLA SICK
041 FMLA VACATION
042 FMLA LWOP
062 RESTRAINING OT

068 VACATION FOR SICK
069 LWOP FOR SICK
098 LWOP

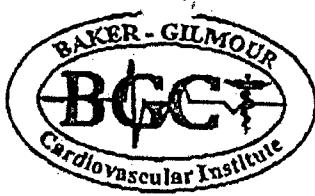
REVISED NOVEMBER 2012

Repetition ID 15 Composite

09-25-19 11:23PM

1111

17



Baker-Gilmour Cardiovascular Institute

ROY M. BAKER, M.D.
Founder

KAYE GILMOUR, M.D., F.A.C.C.
Retired

SCOTT B. BAKER, M.D., F.A.C.C.
Retired

BASHAR SAIKALY, M.D., F.A.C.C.

TREVOR D. GREENE, M.D., F.A.C.C.

EDWARD S. PEREIRA, M.D.

TODD LEWIS, M.D.

JOSEPH BOSTIC
Practice Administrator

To whom it may concern:

This letter is to inform you that Carolyn Fields, DOB 02/15/62 had abnormal testing, possibly related to a previous diagnosis. She had preliminary testing that is abnormal and needs to schedule a further procedure. Her procedure is scheduled for 9/25/19 and should anticipate not returning to work until Tuesday, October 1stth. This date is under the best of circumstances and is subject to change pending the findings of her procedure. If you have any questions, please feel free to contact me at my office.

Sincerely,

A handwritten signature in black ink that appears to read "Kelli Tyson".

Kelli Tyson, APRN, FNP-BC, CVRN

300 Health Park Blvd, Suite 1006

Saint Augustine, Florida 32086

904-794-7050

3550 University Blvd. South 302
Jacksonville, FL 32216
(904) 733-4444
Fax (904) 733-5377

300 Health Park Blvd., Suite 1006
St. Augustine, FL 32086
(904) 794-7050
Fax (904) 794-7135

petitioner's ID 'F' composite

Plaintiffs Exhibit '21

Office DEPOT. OfficeMax®

complimentary fax cover sheet

number of pages including cover sheet: 2

attention to: Kim Daccoste date: 9/26/19

company: Clerk of Courts/H.C. from: Carolyn Fields

phone #: _____ company: _____

fax #: (904) 819-3665 senders phone #: _____

comments: Lastest letter from my doctor. Anticipated return date of: Tuesday, October 1, 2019.

By sending this fax at Office Depot, inc., the sender agrees not to use this fax to: (I) transmit material whose transmission is unlawful, harassing, libelous, abusive, threatening, harmful, vulgar, obscene, pornographic or otherwise objectionable; (II) create a false identity, or otherwise attempt to mislead others as to the identity of the sender or the origin of this fax; (III) post or transmit any material that may infringe the copyright, trade secret, or other rights of any third party; (IV) violate any federal, state or local law in the location, or (V) conduct activities related to gambling, sweepstakes, raffles, lotteries, contests, ponzi schemes or the like.

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local first page



\$ 1.89 833071

long distance first page



\$2.49 833081

international first page



\$7.99 833191

local additional page



\$ 1.69 456687

long distance additional page



\$2.19 833091

international add'l page



\$3.99 833201

fax #: 19048193665

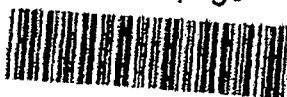
senders phone #: _____

comments: Lastest letter from my doctor anticipated
return date of: Tuesday, October 1, 2019.

By sending this fax at Office Depot, inc., the sender agrees not to use this fax to: (I) transmit material whose transmission is unlawful, harassing, libelous, abusive, threatening, harmful, vulgar, obscene, pornographic or otherwise objectionable; (II) create a false identity, or otherwise attempt to mislead others as to the identity of the sender or the origin of this fax; (III) post or transmit any material that may infringe the copyright, trade secret, or other rights of any third party; (IV) violate any federal, state or local law in the location, or (V) conduct activities related to gambling, sweepstakes, raffles, lotteries, contests, ponzi schemes or the like.

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local first page



\$ 1.89 833071

long distance first page



\$2.49 833081

international first page



\$7.99 833191

local additional page



\$ 1.69 456687

long distance additional page



\$2.19 833091

international add'l page



\$3.99 833201

TIME : 09/26/2019 13:26
 NAME : OFFICE DEPOT
 TEL : 19048279141
 FAX : 19048279140
 SER. #: BRCF6J5613483

09/26 13:23
 19048193665

DATE, TIME
 FAX NO./NAME
 DURATION
 RESULT
 PAGE(S)
 MODE

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99+

Compose

Mail

Inbox

2,638

Employment Discrimination Packet

Inbox x

Chat

Starred

Courtney Luster



Good Afternoon Flagler, It was very nice meeting you this afternoon. Above I have attached the Employment Discrimination

Spaces

Snoozed

Important

Sent

Carolyn Fields <carfields13@gmail.com>



to Courtney

Meet

Drafts

39

Ok. Thank you.

More

Labels

IMPORTANT DOCS

Reply

Forward

Notes

Personal

More

Partitions TO 'G' composite

☰ Gmail

🔍 SHEPARD

X 🔍

55+

Compose

Mail

Inbox

2,656

Chat

Starred

C

Carolyn Fields

I was reviewing my emails this afternoon and I noticed the Addendum that I requested Staples to email to you, appeared not

Spaces

Snoozed

Meet

Important

Meet

Sent

S

Sheppard, White, Kachergus, & DeMaggio, P.A. <sheplaw@sheppardwhite.com>

to me

Drafts

39

Dear Ms. Fields,

More

We have evaluated your case with regard to your request that our firm represent you. However, our firm's caseload is sufficient that it deserves. As a result, we have determined that we will not be able to represent you in this matter.

Labels

IMPORTANT DOCS

Notes

Personal

More

As you may be aware, the law imposes certain time limits in an action such as your case, so you should seek the services of I am sorry we are not able to represent you in this matter, but I wish you the best of success in this and your future endeavor.

Sincerely,

Jesse B. Wilkison
Sheppard, White, Kachergus, DeMaggio & Wilkison, P.A.
215 Washington Street
Jacksonville, Florida 32202
Phone: (904) 356-9661
Facsimile: (904) 356-9667
Web: www.sheppardwhite.com
Email: sheplaw@sheppardwhite.com

C

Carolyn Fields <carfields13@gmail.com>

to White,

Thank you for your time. There is no need to be sorry that you can't assist me. That's fine. I wish you and your firm all the best.

Reply

Forward

☰ Gmail

Q ABEL

X

≡

63+

Compose

Mail

Inbox

2,656

William Abel

Inbox ×

Chat

Starred

A

Amanda Valdes <AValdes@mclaughlinstern.com>
to me

Spaces

Snoozed

WAbel@mclaughlinstern.com

Meet

Important

Sent

Drafts

39

M&S McLaughlin&Stern

More

Labels

IMPORTANT DOCS

Reception- Amanda Valdes

McLAUGHLIN & STERN

CityPlace Office Tower

525 Okeechobee Blvd., Suite 1700

West Palm Beach, FL 33401

Notes

Office: (561) 659-4020

Personal

Fax: (561) 659-4438

More

Website: <http://wpb.mclaughlinstern.com>

Skype: mclaughlin.stern.fl

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C

Amanda Valdes

Compose

Mail

Inbox 2,638

Chat

Starred

Snoozed

Spaces

Important

Meet

Sent

Drafts 39

More

Carolyn Fields - Referral

Inbox x

William Abel <WAbel@mclaughlinstern.com>
to Carfields13@gmail.com, Evie

Ms. Fields:

Thank you for your email. I have no doubt you can handle your legal issue and understand that you will be searching for an administrative order). As a result, I have found two attorneys who might be a better fit for you. Please give them a call:

Arthur Schofield, Esq. 561-655-4211

Sid Garcia, Esq. 561-832-7732

Labels

IMPORTANT DOCS

Notes

Personal

More

Best of luck and I hope you obtain a favorable outcome.

Regards

Bill Abel

From: Amanda Valdes <AValdes@mclaughlinstern.com>
Sent: Friday, September 25, 2020 8:33 AM
To: William Abel <WAbel@mclaughlinstern.com>
Cc: Evie Santiago <esantiago@mclaughlinstern.com>
Subject: FW: William Abel

From: Carolyn Fields <carfields13@gmail.com>
Sent: Thursday, September 24, 2020 5:40 PM
To: Amanda Valdes <AValdes@mclaughlinstern.com>
Subject: Fwd: William Abel

This email is for Mr. Abel. I think his email failed. Will please give him a copy. Have a great day. Let him know that he needs t

----- Forwarded message -----

From: Carolyn Fields <carfields13@gmail.com>
Date: Thu, Sep 24, 2020, 5:33 PM
Subject: Re: William Abel

Kim Dacosta

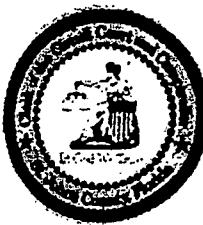
From: Jennifer Morris
Sent: Friday, December 1, 2017 2:56 PM
To: Kim Dacosta
Cc: Carolyn Fields
Subject: Carolyn

Good afternoon,
This a follow up for the message that was left by Mr. Carlton Holley yesterday.

Mr. Holley called to let us know how helpful Carolyn was. He was extremely happy
With the customer service he received and couldn't praise Carolyn enough.

Carolyn, thank you for the great customer service.

Thank you,
Jennifer



Jennifer Morris
Supervisor Recording Department
Dedicated to Excellence • Committed to Improvement • Serving with Kindness
St. Johns County Clerk of Court & Comptroller
Richard O. Watson Judicial Center
4010 Lewis Speedway, St. Augustine, FL 32084
Phone: (904) 819-3630 / Fax: (904) 827-5649
Email: jmorris@sjccoc.fl.us

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Petitioner's 4' composite

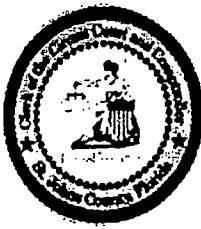
Kim Dacosta

From: Jennifer Morris
Sent: Thursday, August 10, 2017 3:05 PM
To: Carolyn Fields
Cc: Kim Dacosta; Yolanda Mack

I just received a phone call from Ms. Jean Farmer, she wanted us to know how helpful Carolyn was. Helping her get copy of her marriage license. She was very touched.

Carolyn Thank You, keep up the good work.

Thank you,
Jennifer



Jennifer Morris
Supervisor Recording Department
Dedicated to Excellence • Committed to Improvement • Serving with Kindness
St. Johns County Clerk of Court & Comptroller
Richard O. Watson Judicial Center
4010 Lewis Speedway, St. Augustine, FL 32084
Phone: (904) 819-3630 / Fax: (904) 827-5649
Email: jmorris@sjcc.us

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Kim Dacosta

From: Jennifer Morris
Sent: Thursday, November 30, 2017 11:48 AM
To: Yolanda Mack
Cc: Kim Dacosta; Jessica Marchalleck
Subject: FW: Message from Jonesboro GA (6786321490)
Attachments: VoiceMessage.wav

Good afternoon,
Attached is a voice mail of a very happy customer. He was very satisfied with the customer service he received from Carolyn Fields.

Thank you,
Jennifer



Jennifer Morris
Supervisor Recording Department
Dedicated to Excellence • Committed to Improvement • Serving with Kindness
St. Johns County Clerk of Court & Comptroller
Richard O. Watson Judicial Center
401 Lewis Speedway, St. Augustine, FL 32084
Phone: (904) 819-3630 • Fax: (904) 827-5649
Email: jmorris@sjccoc.us

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From: Cisco Unity Connection Messaging System [mailto:unityconnection@sjcucpri.smtp]
Sent: Thursday, November 30, 2017 11:41 AM
To: jamorris@sjcucpri.smtp
Subject: Message from Jonesboro GA (6786321490)

Email from Carolyn Fields to Brad Bradley

Thanking him for The Great Compliment About Her Evaluation

Carolyn Fields

From: Carolyn Fields
Sent: Thursday, April 21, 2016 8:10 AM
To: Cathy Furlipa
Subject: RE: Above and Beyond

Thanks, Cathy for your kind words.

Have a pleasant day.

From: Cathy Furlipa
Sent: Wednesday, April 20, 2016 9:07 AM
To: Carolyn Fields <cfIELDS@sjccoc.us>
Subject: FW: Above and Beyond

Carolyn,

Proud of you as always! Cathy

Cathy Furlipa
BCC Finance/Payroll Administrator
4010 Lewis Speedway
St. Augustine, FL 32084
(904) 819-3672 (direct line)

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

From: Hunter Conrad
Sent: Friday, April 15, 2016 8:54 AM
To: Clerks Group
Subject: Above and Beyond

Clerk Family,

I would also like to take a moment to shed light on Carolyn Fields. Carolyn has gone above and beyond this week by graciously being willing to move from Civil to Recording.

It's no secret that our court budgets are being squeezed at the state level. However, in light of the constraints being placed on us as an office, our desire and goal is to maximize efficiency's, maintain customer service, all while helping each of you enjoy and maintain your employment. I recognize this can be difficult, but I also know it can be done, if collectively we are willing to maintain positive attitudes and embrace challenges.

This brings me back to Carolyn. Because of Carolyn's willingness to maintain a positive attitude and embrace this new challenge in her career, she has single handedly saved at least one, and more likely, two positions in our court operations.

It's for this reason I would like to personally thank Carolyn and ask each of you to tell her thank you when you see her.

Carolyn Fields

From: Valerie Peischel
Sent: Wednesday, September 02, 2015 4:20 PM
To: Carolyn Fields
Cc: Sheila Greenleaf; Stefanie Elliott; Cheryl Strickland - Clerk of Court; Cathy Roche
Subject: Carolyn "Rock Star" Fields'

Congratulations, Carolyn!

You have officially completed your Competent Communicator Manual!! You are the first of all the San Sebastian Toastmasters to accomplish this feat and the entire Club shares in this congratulations! I have submitted your record for the CC Award which you will receive in the mail at your home address and the Clerk will receive notification, as well.

Today is a great day!

Valerie Peischel Mull
Main Library Branch Manager
1960 N. Ponce de Leon Blvd.
St. Augustine, FL 32084
(904) 827-6940

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from the St. Johns County Board of County Commissioners and employees regarding public business are public records available to the public and media through a request. Your e-mail communications may be subject to public disclosure.

November 9, 2019

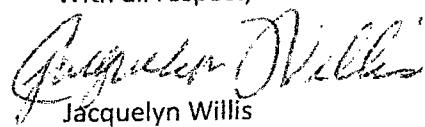
Character Reference: Given by Jacquelyn Willis

I have known Carolyn Fields from a very early existence. She is trustworthy, honest, kind, caring, and very professional. She works with the spirit of love and compassion in her heart.

She is also, a great advocate for her church and the community. Carolyn has the ability to handle any problem that she and her family may have with care and optimism. She keeps her household together.

Further, she is a loving mother and wife. She is a born leader. She is well respected by many. She has lived a life that many would love to follow. She would be a great asset to any company, group, or organization.

With all respect,


Jacquelyn Willis



November 8, 2019

Character Reference: Given by Rhonda Felder

To whom it may concern:

I have had the pleasure of knowing Carolyn Fields for many years. She has always had a strong stand for righteousness. She not only has a stands, she lives and eats it, daily.

When you see Carolyn Fields, you are looking at a very humble person, who strives to do the very best job possible. She does not take her job or any task she is assigned to, lightly. She is a woman with integrity, perseverance, and determination to rise to the occasion.

She lives a life of faith filled with compassion, and love for her fellowman. For those who really knows her, she exemplifies honesty, loyalty, support and family devotion.

She was raised by both parents in a Christian faith based environment which continues to be the fuel to keep her going and steady.

She is a dedicated, loving, and supportive mom and wife. Through unwavering support for her daughter; her daughter has been able to soar like a bird towards achieving her dream.

All the time realizing that her mother, Carolyn Fields is the wind beneath her wings. I tell you that anyone that knows Carolyn Fields has found a powerful woman of God, a friend, and always a woman of Integrity.

For those of you who are or were in her presence, or perhaps, saw her from afar. "She is somebody special".

Sincerely yours,

Rhonda Felder

Plaintiff Exhibit 5

INSTRUCTIONS FOR CONDUCTING PERFORMANCE EVALUATIONS

The Performance Evaluation is to be given to each employee annually in coordination with his/her hire date and the review should be based on previous year's performance.

The employee's previous year evaluation must be reviewed prior to the completion of this evaluation. Items that need to be addressed are goals, improvement and any mandatory training that was required since the previous evaluation.

For Supervisor and Manager positions use comment sections in regards to strengths and weaknesses in leadership skills.

APPROVAL PROCESS

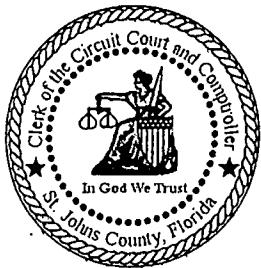
- 1) The Chief, Manager or Supervisor completes the evaluation form and forwards the completed form to their department Manager or Chief (if applicable) and then the HR department for approval.
- 2) After approval, the Manager, Supervisor or Chief conducts the evaluation meeting with the employee and the employee signs off on the evaluation.
- 3) The completed and signed evaluation is returned to Administration for review by the appropriate Chief Officer and the Clerk & Comptroller.

PERFORMANCE DEFINITIONS

Listed below are the definitions of the five performance categories, which should be kept in mind as you complete your evaluations.

- **(1) Fails to Meet Standards:**
Major shortcomings in performance, performance has declined significantly, or employee has not sustained adequate improvement, as required since the last performance review. May require reassignment or separation if plans for progress are unsuccessful. Identify areas of unsatisfactory performance in comments section and improvement plan. This rating requires written justification.
- **(2) Frequently Fails to Meet Standards:**
Improvement needed in some key job areas. Considerable guidance and supervision are required. Identify areas of marginal performance in comments section and improvement plan. This rating requires written justification.
- **(3) Generally Meets Standards:**
Responsibilities met in a wholly satisfactory manner. Normal guidance and supervision are required.
- **(4) Frequently Exceeds Standards:**
Generally, exceeds requirements with a minimum of guidance. Well above average performance.
- **(5) Consistently Exceeds Standards:**
Performance consistently exceeds all requirements. Superior to what is normally expected. An employee who has made or demonstrated an unusual contribution during the review period. This rating requires written justification.

Revisions to "I"



St. Johns County Clerk of the Circuit Court and Comptroller Annual Employee Evaluation

EMPLOYEE INFORMATION

Name: Carolyn Fields

Department: Recording

Job Title: Recording Clerk

Date of Hire: 04/08/1985

Date of Review: 03/25/2019

Supervisor's Name: Jennifer A Morris

QUALITY & QUANTITY OF WORK

Accuracy: How well does employee perform their work and check the quality before passing it along? Consider the amount of errors, adherence to standards, impact of errors, repeating errors. Does employee learn from mistakes taking appropriate action to reduce errors? Consider if work is complete. Does employee stay focused on task objectives and have a clear understanding of expectations and goals?

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attention to Detail: How well does employee pay attention to all aspects of a task? Consider if employee detects others' errors with incoming work and takes appropriate action to correct before passing along? Is work performed neat and orderly? Consider if files and paperwork can be found easily in employee's absence.

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Quantity: What are the results of the employee's efforts? Does the employee meet work schedules and deadlines? Can employee manage several responsibilities simultaneously?

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

TIME MANAGEMENT & DEPENDABILITY

Efficiency: How efficient and productive is the employee in the utilization of available working time? Does employee allow distractions to hinder job performance? Does employee eliminate unproductive activities?

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Priorities: Does the employee establish appropriate priorities completing the most important tasks first and then tackling issues with lesser importance? Can employee be counted on to complete assignments within established timeframes as required by office policy and/or law?

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Time and Attendance: Does the employee demonstrate the ability to be dependable by scheduling time off in advance, limiting excessive absences and reporting to work on time?

1	2	3	4	5
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMMUNICATION SKILLS	1	2	3	4	5
Resilient: Does employee accept constructive criticism, listen respectfully and maintain a positive attitude? Does employee openly listen to suggestions and ideas of others?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information Sharing: Does employee keep others informed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:					

TEAM-WORKING & INITIATIVE	1	2	3	4	5
Team player: Is employee an effective team player who contributes valuable ideas, opinions and feedback?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dependable: Does the employee help others, fulfill commitments and work with others to achieve a goal? Does the employee work with others regarding duties, responsibilities and schedules?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Self-Motivation: Is employee committed to their job giving full attention to tasks and daily responsibilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Additional Duties: Does employee willingly accept new assignments & responsibilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:					

SUPERVISOR COMMENTS ON OVERALL PERFORMANCE
Carolyn comes in ready to work. She is always professional and courteous. She goes that extra mile to make sure her customers are satisfied. Carolyn is always willing to assist her co-workers. When the front counter gets busy, she performs ceremonies, records documents and makes copies. Carolyn, it's a pleasure having you in the recording department. Keep up the good work.

GOALS AND/OR IMPROVEMENT PLAN

EMPLOYEE'S COMMENTS
I have been in this department for three (3) years. I feel as though, I have grown with it. I quite often, find it fascinating and rewarding. My job here is to meet the needs of the public and my office in a professional and positive manner. I go out of my way to extend a helping hand or a kind word to my customers. I feel as though you have the right people that they are important and that they do matter. If this message is conveyed to the public, they will go away feeling important and inspired. They won't forget the assistance they received and the manner in which it was given. I am especially inspired by the leadership of Jennifer Morris. She is knowledgeable, attractive, and professional. She is an asset to this office. I will continue to strive for excellence. Because I know that there are so many people out there that depend on and need our assistance. So, regardless of what I may or may not be going through, I have to perform. Because that is what I am here for. I will help any and everyone.

Revised 10/01/2018

that comes across my phone or desk, in a courteous and professional manner. Because many are

1 in use of our services.

Evaluator's Signature ()

Date

Department Manager's Approval ()

Date

Human Resource's Approval ()

Date

Carolyn Tilds
Employee's Signature ()

Date

Chief Officer's Signature ()

Date

Clerk & Comptroller's Signature ()

Date

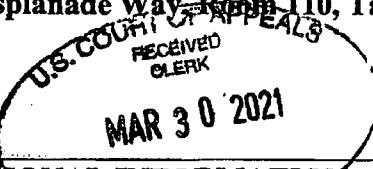
Carolyn Training

Civility in the Workplace **10/24/2018**

Passport Refresher Course **11/2018**

USCA11 Case: 21-10825 Date Filed: 03/30/2021 Date Stamp (FCHR Use Only)
FLORIDA COMMISSION ON HUMAN RELATIONS

4075 Esplanade Way, Room 110, Tallahassee, Florida 32399



Date Stamp (FCHR Use Only)

A. PERSONAL INFORMATION		FCHR No. 202022497
Name ATLANTA, GA		E-Mail Address -
Carolyn L. Fields		Date of Birth February 15, 1962
Mailing Address P.O. Box 138		Home Telephone Number (area code) +1 (904) 692-5080
City, State, and Zip Code Elkton, FL 32033		Work (if possible to call you there)
B. BUSINESS INFORMATION (employer, labor organization, employment or government agency, etc.)		
Name St. Johns County Clerk of Courts	Number of Employees 15+	Telephone Number +1 (904) 819-3603
Street Address (Branch/Office in Florida) 4010 Lewis Speedway	City, State and Zip Code St. Augustine, FL 32084	County St. Johns
C. CAUSE OF DISCRIMINATION BASED ON - Check appropriate box(es) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> DISABILITY/HANDICAP <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> AGE <input type="checkbox"/> MARITAL STATUS <input checked="" type="checkbox"/> RETALIATION		DATE MOST RECENT DISCRIMINATION TOOK PLACE (month, day, year) January 21, 2020

D. DISCRIMINATION STATEMENT:

I believe I have been discriminated against pursuant to Chapter 760 of the Florida Civil Rights Act, and/or Title VII of the Federal Civil Rights Act, and/or the Age Discrimination in Employment Act, and/or the Americans with Disabilities Act as applicable for the following reason(s):

I believe that I have been discriminated against based on my race. I was employed as a St. Johns Deputy Clerk for thirty-four (34) years before my termination on January 21, 2020. Since February 2019, I have been the target of negative comments about my work and family from my colleague, Melissa Morgan. Upper management was aware that these comments were being made, but nothing was done to alleviate the situation. This hostile work environment continued for the rest 2019. In or around early August, I emailed Jennifer, Yolanda Mack, and Brittany Holley asking if I may leave early on August 9, 2019. Since no one responded, I asked Jennifer in person if she had seen the email. She responded, "I am going to let Brittany answer when she returns." Due to a lack of response, I canceled my request and stating I would work a full day, as normal. While on vacation, my dog died, and I arranged for its cremation. When I returned to work on August 19, 2019, I emailed Ms. Holley requesting to leave early in regard to my dog. Again, I did not receive a response from Ms. Holley. I contacted Kim from HR and informed her that management in the Recording Department were not answering my email and/or were not answering them in a timely matter. After Kim and I discussed my concerns, I was instructed to return to my desk and see if I had received a response. I had not. When I finally spoke to Brittany in her office and she confirm that she had received my email and stated, "I will let you go this time...because it's your dog, I understand... but I don't have to let you go. I do not have approve your vacation..." I informed her that if my time was not approved by her, I would seek approval from Hunter Conrad, Clerk of Courts. Around 4:30 p.m. I left work, signing out of Kronus as vacation time. On August 20, 2019 I informed Ms. Holley I would be out sick. On August 21, 2019 I was called into a meeting with Ms. Jessica Marchalleck, Ms. Mack, and Lisa Smith from HR. Ms. Smith stated, "Carolyn we are moving towards termination for you." I asked, "Why?" And Ms. Smith stated, "You abandoned your job on Monday. You walked off at 4:30." I promptly informed them I was given permission to leave early by Ms. Holley and had notated Kronus to reflect the time taken off. I was then accused of screaming, slamming doors and objects, which was false. I asked to speak with Mr. Conrad. After I explained to Mr. Conrad what was going on and that the accusation against me were false, Mr. Conrad gave me an option of termination, resignation, or

take responsibility for what allegedly occurred. During this meeting, a suspension that was given in November 2017 was brought up against me. Ultimately, I was given a 10-day suspension and placed on a 6-month probation. Mr. Conrad stated that "You will walk a tightrope, so tight." During this probation period, I had to email all three (3) managers when I would leave and return from break. For lunch break, I was required to clock -in and out in the Traffic Department, instead of using our normal procedure. I endure these conditions for the sake of my family and financial obligations. On January 21, 2020 I was terminated from my position under the guise of "violation of office policies, loathing off, unsatisfactory work, and trying to get others not to work." I was asked to sign a letter of resignation and was escorted out the office.

I REQUEST TO BE AFFORDED FULL RELIEF TO WHICH I AM ENTITLED TO UNDER THE LAW(S).

E. VERIFICATION. Under penalties of perjury, I declare that I have read the foregoing complaint of discrimination and that the facts stated in it are true. I will advise the agency if I change my address or telephone number and I will cooperate fully with them in the processing of my complaint in accordance with their procedures.

SIGNATURE OF COMPLAINANT



DATE

2/15/20

EMPLOYMENT COMPLAINT OF DISCRIMINATION



State of Florida

Florida Commission on Human Relations

An Equal Opportunity Employer • Affirmative Action Employer



U.S. COURT OF APPEALS
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Governor CLERK
MAR 30 2021

4075 Esplanade Way • Room 110 • Tallahassee, Florida 32399-7020
(850) 488-7082 / FAX: (850) 487-1007

<http://fchr.state.fl.us>

United in One Goal: Equal Opportunity and Mutual Respect

FCHR No.: 2020322497
EEOC No.: 15D202000595

Michelle Wilson
Executive Director

CERTIFIED MAIL RECEIPT 91 7199 9991 7033 7534 0046

Carolyn L. Fields
P.O. Box 138
Elkton, FL, 32033

COMPLAINANT

St. Johns County Clerk of Courts
c/o Mr. John Dickinson
200 West Forsyth Street Suite 1700
Jacksonville, Florida 32202

RESPONDENT

NOTICE OF RIGHTS

The Florida Commission on Human Relations (Commission) was unable to conciliate or make a reasonable cause determination within 180 days of the filing of the complaint in this matter. Therefore, pursuant to sections 760.11(4) and (8), *Florida Statutes*, the complainant may now either:

- (1) Bring a civil action against the person named in the complaint in any court of competent jurisdiction **WITHIN ONE YEAR** of the date of this notice; or
- (2) Request an administrative hearing with the Division of Administrative Hearings under sections 120.569 and 120.57, *Florida Statutes*, by filing a Petition for Relief **WITHIN 35 DAYS** of the date of this notice. A blank Petition for Relief form is enclosed.

The complainant is encouraged to consult with private legal counsel in order to determine the best course of action. The Commission will take no further action, and this matter will be closed if a Petition for Relief is not received within 35 days.

CERTIFICATE OF SERVICE

COMMISSIONERS

Monica Cepero
Fort Lauderdale

Donna Elam
Port Richey

Libby Farmer
Tallahassee

Mario Garza
Lakewood Ranch

Dawn Hanson
Tallahassee

Larry Hart
Fort Myers

AL McCambray
Lynn Haven

Derrick McGhee
Tallahassee

Jay Pichard
Tallahassee

Angela Primiano
Hollywood

Gilbert Singer
Tampa

Petition for Relief
ID #K

I HEREBY CERTIFY that a copy of the foregoing NOTICE OF RIGHTS was filed at Tallahassee, Florida and sent to the above-named addressees this 14th day of Sept., 2020, by U.S. Mail.

BY: Tammy Carter
Clerk of the Commission