APPENDIX TO PETITION FOR WRIT OF CERTIORARI

Table of Contents:

Appendix A — Per Curiam Affirmance, *filed 6/18/26* (Fourth District Court of Appeal, Florida) 13

Appendix B — Final Judgment for Attorney's Fees and Costs, *filed 10/6/25* (Seventeenth Judicial Circuit, Broward County, Florida) 14

Appendix C — Per Curiam Affirmance in Florida District Court of Appeal is not reviewable in Supreme Court of Florida (Rule- and Case-law based) 18

Appendix D — Order Denying Motion for Rehearing, *filed 7/30/26* (Fourth District Court of Appeal, Florida) 19

Appendix E — Order for Dismissal Due to Untimely Appeal, *filed 8/14/25* in related matter, 4D2025-2170 (Fourth District Court of Appeal, Florida) 20

Appendix F — Order for Insufficient Service, *filed 8/11/25* in related matter, 4D2025-2170 (Fourth District Court of Appeal, Florida) 21

Appendix G — Order for Conformed Copy of Order Being Appealed Due to Timeliness Issue, *filed 7/31/25* in related matter, 4D2025-2170 (Fourth District Court of Appeal, Florida) 22

Appendix H — Order Denying Motion for New Trial, *filed* 2/26/25 (Seventeenth Judicial Circuit, Broward County, Florida) 23

Appendix I — Final Judgment for Defendant and Closure, *filed* 2/7/25 (Seventeenth Judicial Circuit, Broward County, Florida) 24

Appendix J — Initial Brief, selected pages, *filed* 1/12/26 (Fourth District Court of Appeal, Florida) 26

Appendix K — Order Denying Plaintiff's Motion for Proof of Jurisdiction in Absence of Service of Process [...], *filed* 8/18/25 (Seventeenth Judicial Circuit, Broward County, Florida) 31

Appendix L — Order Denying Plaintiff's Motion to Request Service of Process on Written Judicial Order Based on Plaintiff's Motion for New Trial Filed February 11, 2025, *filed* 7/11/25 (Seventeenth Judicial Circuit, Broward County, Florida) 32

Appendix M — Response to Plaintiff's Application for Compulsory Judicial Notice [...], selected pages, *filed* 4/22/25 (Seventeenth Judicial Circuit, Broward County, Florida) 33

Appendix N — Plaintiff's Application for Compulsory Judicial Notice [...], selected pages, *filed* 4/7/25 (Seventeenth Judicial Circuit, Broward County, Florida) 35

Appendix O — Progress Docket, Case No. CACE-22-001459 (Seventeenth Judicial Circuit, Broward County, Florida) 43

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

ANDREW ISAACS,
Appellant,

v.

MICHELLE ANNE-MARIE SHARPE,
Appellee.

No. 4D2025-3225

[June 18, 2026]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Michael A Robinson, Judge; L.T. Case No. 062022CA001459AXXXCE.

Andrew Isaacs, Tamarac, pro se.

Evan B. Plotka of Evan B. Plotka, P.A., Hollywood, for appellee.

PER CURIAM.

Affirmed.

GROSS, MAY and LEVINE, JJ., concur.

* * *

Not final until disposition of timely-filed motion for rehearing.

APPENDIX A

Filing # 232961519 E-Filed 10/06/2025 05:30:12 AM

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. CACE22001459 DIVISION: 13 JUDGE: Robinson, Michael A (13)

Andrew Isaacs

Plaintiff(s) / Petitioner(s)

v.

Michelle Ann-Marie Sharpe

Defendant(s) / Respondent(s)

_____/

FINAL JUDGMENT FOR ATTORNEY'S FEES AND COSTS

THIS CAUSE having come before the court for an evidentiary hearing on Defendant's, MICHELE ANN-MARIE SHARPE, Motion for Award of Attorney's Fees and Costs against the Plaintiff, ANDREW ISAACS, and the court, having reviewed the Motion, having taken testimony, having heard argument of counsel and the *pro-se* Plaintiff and being otherwise fully advised in the premises, the Court makes the following findings of fact:

1. This Court in its prior Order docketed March 17, 2025 found entitlement to fees in favor of the Defendant, MICHELE ANN-MARIE SHARPE.

2. Marguerite White, Esq. and Evan B. Plotka, Esq. testified as to the fees incurred by their respective firms for and on behalf of the Defendant, MICHELE ANN-MARIE SHARPE.

3. Mark H. Klein, Esq., a member in good standing with The Florida Bar, was qualified as an expert for the purpose of rendering an opinion as to the reasonableness of the attorney's charged by both firms.

4. Credible evidence was elicited to support that the hourly rates charged by the attorneys, $300.00 per hour, was reasonable under the circumstances. Credible evidence was elicited to

APPENDIX B

support that the hourly rates charged by the paralegals in Mr. Plotka's firm, $150.00 per hour and $125.00 per hour, respectively were reasonable under the circumstances.

5. Credible evidence was elicited that the total number of hours billed by both firms, 14 hours by Ms. White and 34.2 hours by Mr. Plotka's firm, were reasonable.

6. Mr. Klein reached the opinion that the sum of $12,087.50 was reasonable under the circumstances within a reasonable degree of professional certainty.

7. The Plaintiff, ANDREW ISAACS, did not present for the Court's consideration an expert witness or any witness to contradict the testimony of Mr. Klein, which was unrebutted. Mr. Isaacs did not testify, but he did make argument.

8. Mr. Plotka also introduced unrebutted evidence seeking to recover the sum of $1,950.00 representing the court reporter's attendance at the two day trial before this Court.

9. Mr. Klein's testimony further stated that he kept his time in this matter, including his testimony before this Court, all of which added up to 4.35 hours, at the rate of $500.00 per hour for a total charge of $2,175.00.

10. The Court finds the testimony of Marguerite White, Evan Plotka and Mark Klein to be credible in all respects. The Court considered the *ROWE* factors and the failure of the Plaintiff to testify. It is therefore

ORDERED AND ADJUDGED as follows:

11. The Defendant, MICHELE ANN-MARIE SHARPE, shall have and recover the following sums from the Plaintiff, ANDREW ISAACS as follows:

$4,200.00 representing attorney's fees to Marguerite White, Esq. based on 14 hours at $300.00 per hour;

$5,910.00 representing attorney's fees to Evan B. Plotka, P.A. based on 20.2 hours at $300.00 per hour;

$1,425.00 representing senior paralegal fees to Evan B. Plotka, P.A. based on 9.50 hours at $150.00 per hour;

$552.50 representing paralegal fees to Evan B. Plotka, P.A. based on 4.50 hours at $125.00 per hour;

$1,950.00 representing taxable costs incurred by Evan B. Plotka, P.A.; and

$2,175.00 representing Defendant's expert witness fees for Mark Klein, Esq.,

the total of which is **$16,212.50**, for which sum let execution issue.

12. Post judgment interest on the principal portion thereof shall accrue at the rate of 8.65% per annum from the entry of this Judgment to the date that it is satisfied.

13. The address of the Plaintiff, ANDREW ISAACS 1880 N.W. 59 Avenue, Apt. B Sunrise, Florida 33313.

14. The address of the Defendant, MICHELE ANN-MARIE SHARPE is 16225 SW 26 Street, Miramar, Florida 33027.

15. It is further **ORDERED AND ADJUDGED** pursuant to Rule 1.560, Fla.R.Civ.Pr., that the Judgment Debtor, ANDREW ISAACS, shall complete Form 1.977(a) (Fact Information Sheet for Individuals) and return it to the Judgment Creditors' attorney, Evan B. Plotka, P.A., within 45 days from the date of this Judgment for Fees and Costs, unless the Judgment is satisfied or a motion for new trial or notice of appeal is filed. Jurisdiction of this case is retained to enter further orders that are proper to compel the Judgment Debtor to complete Form 1.977(a).

DONE AND ORDERED in Chambers at Broward County, Florida on 5th day of October, 2025.

CACE22001459 10-05-2025 9:21 PM

CACE22001459 10-05-2025 9:21 PM
Hon. Michael Robinson
CIRCUIT COURT JUDGE
Electronically Signed by Michael Robinson

Copies Furnished To:
Andrew Isaacs , E-mail : mikjani@comcast.net
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Evan B Plotka , E-mail : Pleadings@PlotkaLaw.com
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Marguerite White , E-mail : mcgwhite4@msn.com

THE FOURTH DISTRICT COURT OF FLORIDA IS THE HIGHEST STATE COURT IN THIS APPEAL BECAUSE THE STATE'S SUPREME COURT LACKS JURISDICTION TO REVIEW A PER CURIAM DECISION WITHOUT A WRITTEN OPINION

The Supreme Court of Florida lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, the Supreme Court of Florida. *See Wheeler v. State,* 296 So. 3d 895 (Fla. 2020); *Wells v. State,* 132 So. 3d 1110 (Fla. 2014); *Jackson v. State,* 926 So. 2d 1262 (Fla. 2006); *Gandy v. State,* 846 So. 2d 1141 (Fla. 2003); Stallworth v. Moore, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.,* 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.,* 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State,* 385 So. 2d 1356 (Fla. 1980).

The decision below is a per curiam affirmance without a written opinion. The Fla. Const. art. V, § 3(b) limits the Florida Supreme Court's discretionary review of district-court decisions to specified categories, including express-and-direct conflict and certain express constitutional rulings or certified questions. *See* Fla. R. App. P. 9.030(a)(2)(A). Because the decision below reportedly contains no written reasoning, ordinary conflict review is not available. Petitioner nevertheless recognizes that this Court must determine whether the Fourth District Court of Appeal is the "highest Florida State-court in which a decision could be had" within the meaning of § 1257(a) and this Court's Rule 13.

APPENDIX C

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401

July 30, 2026

ANDREW ISAACS, Appellant(s) v. MICHELLE ANN-MARIE SHARPE, Appellee(s).	**CASE NO. - 4D2025-3225** L.T. No. - 062022CA001459AXXXCE

BY ORDER OF THE COURT:

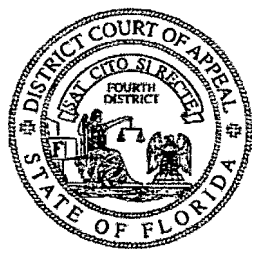
ORDERED that Appellant's July 2, 2026 motion for rehearing is denied.

Served:
Andrew Isaacs
Evan B Plotka
Marguerite Cecile White

SM

I HEREBY CERTIFY that the foregoing is a true copy of the court's order.

Lonn Weissblum
LONN WEISSBLUM, Clerk
Fourth District Court of Appeal
4D2025-3225 July 30, 2026



APPENDIX D

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401

August 14, 2025

ANDREW ISAACS, Appellant(s) v. MICHELLE ANNE-MARIE SHARPE, Appellee(s).	**CASE NO. - 4D2025-2170** L.T. No. - CACE22-001459

BY ORDER OF THE COURT:

ORDERED that, upon consideration of Appellant's August 12, 2025 response, the above-styled appeal is dismissed as untimely filed. *See* Fla. R. App. P. 9.110(b); *Gulley v. Reemployment Assistance Appeals Comm'n*, 101 So. 3d 949 (Fla. 1st DCA 2012) (dismissing appellate proceeding that was not initiated within the applicable time limit).

MAY, CIKLIN and FORST, JJ., concur.

Served:
Broward Clerk
Andrew Isaacs
Evan B Plotka
Marguerite Cecile White
Hon. Michael A Robinson

KTH

I HEREBY CERTIFY that the foregoing is a true copy of the court's order.

LONN WEISSBLUM, Clerk
Fourth District Court of Appeal
4D2025-2170 August 14, 2025

APPENDIX E

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401

August 11, 2025

ANDREW ISAACS, Appellant(s) v. MICHELLE ANNE-MARIE SHARPE, Appellee(s).	**CASE NO. - 4D2025-2170** L.T. No. - CACE22-001459

BY ORDER OF THE COURT:

ORDERED that Appellant's August 11, 2025 "Notice Of Filing Conformed Copy Of Order Being Appealed; Motion For New Trial; Motion To Request Service Of Process On Written Judicial Order Based On Plaintiff's Motion For New Trial; And Legal Grounds To Preclude An Untimely Appeal" is stricken as not in compliance with Florida Rule of Appellate Procedure 9.420(d) in that there is no certificate of service or the certificate of service does not comply in substance with the requirements of Florida Rule of General Practice and Judicial Administration 2.516(f). You are notified of the requirement to serve the Appellee with a copy of everything you file with this court and to indicate in the certificate of service that you served the Appellee. Appellant may re-file the document with a proper certificate of service which indicates service on the Appellee.

Served:
Andrew Isaacs
Evan B Plotka
Marguerite Cecile White

KTH

I HEREBY CERTIFY that the foregoing is a true copy of the court's order.

LONN WEISSBLUM, Clerk
Fourth District Court of Appeal
4D2025-2170 August 11, 2025

APPENDIX F

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401

July 31, 2025

ANDREW ISAACS, Appellant(s) v. MICHELLE ANNE-MARIE SHARPE, Appellee(s).	**CASE NO. - 4D2025-2170** L.T. No. - CACE22-001459

BY ORDER OF THE COURT:

The court has received the Notice of Appeal in the above-styled case and finds, from the face of the Notice, that the appeal appears to be untimely filed. The Notice was filed in the Lower Tribunal on July 23, 2025, and the Notice reflects February 26, 2025, as the date of the order being appealed.

ORDERED that Appellant is directed to file, within fifteen (15) days from the date of this order, a conformed copy of the order(s) being appealed and any subsequent orders which tolled the time for the filing of the Notice of Appeal. Said orders must reflect the time/date stamp so that timeliness can be determined.

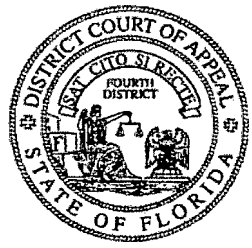
ORDERED that failure to comply with this order will result in the sua sponte dismissal of the above-styled case as being an untimely appeal.

Served:
Andrew Isaacs
Evan B Plotka
Marguerite Cecile White

KTH

I HEREBY CERTIFY that the foregoing is a true copy of the court's order.

Lonn Weissblum
LONN WEISSBLUM, Clerk
Fourth District Court of Appeal
4D2025-2170 Jul 31 2025



APPENDIX G

**** FILED: BROWARD COUNTY, FL Brenda D. Forman, CLERK 2/26/2025 4:30:00 PM.****

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE22-1459 (13) JUDGE: Michael A. Robinson

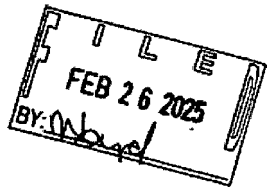
ANDREW ISAACS,

Plaintiff,

vs.

MICHELLE ANN-MARIE SHARPE,

Defendants.
----------/



ORDER

THIS CAUSE having come on to be reviewed by the Court on Plaintiff's Motion For New Trial and the Court having reviewed the same and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that said Motion be and is hereby DENIED.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida this 26th day of February, 2025.

JUDGE MICHAEL A. ROBINSON
Circuit Court Judge

Copies furnished via email

APPENDIX H

Filing # 216330833 E-Filed 02/07/2025 09:02:20 PM

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. CACE22001459 DIVISION: 13 JUDGE: Robinson, Michael A. (13)

Andrew Isaacs

Plaintiff(s) / Petitioner(s)

v.

Michelle Ann-Marie Sharpe

Defendant(s) / Respondent(s)

_____/

FINAL JUDGMENT FOR DEFENDANT AND CLOSURE

THIS CAUSE having come before the Court for a Jury Trial which took place on February 3 and February 4, 2025 on Plaintiff's Complaint and the Court having granted Directed Verdict on

Count I - Breach of Fiduciary Duty;
Count II - Breach of Oral Agreement;
Count III - Fraud in the Inducement; and
Count IV - Civil Theft

and thereafter the Jury considered Count V - Unjust Enrichment. Pursuant to the Verdict rendered in this action it is

ORDERED AND ADJUDGED as follows:

1. That the Plaintiff, ANDREW ISAACS, whose address is 1880 N.W. 59 Avenue, Apt. B, Sunrise, Florida 33313, take nothing by this action and that the Defendant, MICHELE ANN-MARIE SHARPE, whose address is 16225 SW 26 Street, Miramar, Florida 33027, shall go hence without day.

2. That the Court will maintain jurisdiction regarding the Defendant's taxation of costs and attorney's fees, if any, upon a timely filed motion.

3. The Clerk is directed to close the case.

APPENDIX I

DONE AND ORDERED in Chambers at Broward County, Florida on 7th day of February, 2025.

CACE22001459 02-07-2025 2:07 PM
Hon. Michael Robinson
CIRCUIT COURT JUDGE
Electronically Signed by Michael Robinson

Copies Furnished To:
Andrew Isaacs , E-mail : mikjani@comcast.net
Andrew Isaacs , E-mail : aisaacs11@comcast.net
Evan B Plotka , E-mail : Pleadings@PlotkaLaw.com
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Marguerite White , E-mail : margueritewhite80@yahoo.com
Marguerite White , E-mail : megwhite4@msn.com

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IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA, FOURTH DISTRICT, 110 SOUTH TAMARAND AVENUE, WEST PALM BEACH, FL 33401

ANDREW ISAACS,

Appellant,

CASE No.: 4D2025-3225
L.T. No.: CACE 22-001459

v.

MICHELLE ANNE-MARIE SHARPE,

Appellee.

ON APPEAL FROM THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY, FLORIDA CIVIL ACTION

APPELLANT'S INITIAL BRIEF

Andrew Isaacs, Pro se
P.O. Box 25592
Tamarac, FL 33320
Telephone: (954) 618-9028
aisaacs11@comcast.net

APPENDIX J

(Italics added.) *Cooper v. Aaron*, 358 U.S. 1 (1958). Further, Fla. R. Gen. Prac. & Jud. Admin. 2.516(f), states:

> **Certificate of Service.** A person establishes prima facie proof of service by including the following:
>
> (1) Certification;
>
> (2) Date of service;
>
> (3) Name(s) of person(s) served
>
> (4) Service address(es); and
>
> (5) Method of service.
>
> The following sample certificate complies with this rule:
>
> "I certify that on ....(date)....this document has been furnished to (here insert name(s) and service address(es) by (here insert method of service such as portal, e-mail, delivery, or mail).
>
> _____
> Attorney at Law"

4. Clearly, the record shows that Appellant's motion for new trial was never scheduled for a hearing and the Order (R: 571 - 571) neither complied with the due process requirements of the Fourteenth Amendment nor the service requirements of Fla. R. Gen. Prac. & Jud. Admin. 2.516(f), evincing a denial of due process and invalidating the Order that grudgingly

reads below the trial judge's signature block: "Copies furnished via email." *See Viets v. American Recruiters,* 922 So. 2d 1090 (Fla. 4th DCA 2006) (The trial court properly vacated the dismissal with prejudice of plaintiff's complaint after concluding that it had failed to grant her a separate hearing before entering that sanction. [...] Here, the trial court correctly found that it had denied plaintiff due process. The dismissal was therefore void and could be vacated at any time.); *Armstrong v. Manzo,* 380 U.S. 545, 550, 552 (1965) ("Many controversies have raged about the cryptic and abstract words of the Due Process Clause, but there can be no doubt that, at a minimum, they require that deprivation of life, liberty or property by adjudication be preceded by notice and opportunity for hearing appropriate to the nature of the case." (quoting *Mullane v. Central Hanover Bank & Trust Co.,* 339 U.S. 306, 313 (1950)) [...] A fundamental requirement of due process is "the opportunity to be heard." (quoting *Grannis v. Ordean,* 234 U.S. 385, 394 (1914)). It is an opportunity which must be granted at a meaningful time and in a meaningful manner.); Appellee's counsel's email inquiring whether there would be a hearing on Appellant's motion for new trial and judicial assistant Angela Stitt's response (R: 596 - 598).

5. In the instant case, the denial of Appellant's due process rights, as

failure to serve process on the Order, ultimately caused Appellant's untimely appeal in this court under case number 4D2025-2170. See Record on Appeal, Section "Progress Docket," p. 2 of 6; Appellant's Appendix to Initial Brief, at p. 4.

6. Appellant was unable to take a timely appeal from the Order to this court, thereby depriving Appellant of his constitutional right to fully litigate the merits of his appellate issues.

4. The service-deficient Order, inescapably void, and the unheard motion for new trial must be held to be evidence of the unconstitutional proceedings that denied Appellant's due process rights. *See Castro v. Charter Land Co.*, 721 So. 2d 1251 (Fla. 3d DCA 1998) (It is axiomatic, that a judgment entered without due service of process is void. (Emphasis added.) (citing *N.L. v. Dep't of Children & Family Servs,* 960 So.2d 810, 813 (Fla. 3d DCA 2007); *Dor Cha, Inc. v. Hollingsworth,* 876 So.2d 678, 679 (Fla. 4th DCA 2004); *Falkner v. Amerifirst Fed. Sav. & Loan Ass'n,* 489 So.2d 758, 759 (Fla. 3d DCA 1986)). Moreover, where a judgment is void due to defective service, the party seeking to vacate such a judgment need not show any other basis for vacating the judgment. (Emphasis added.) (citing *Willoughby v. Seese Realty Inc.*, 421 So.2d 691 (Fla. 4th DCA 1982)); *Scott v. McNeal,* 154 U. S. 34, 46 (1894) ("No judgment of a court

is due process of law, if rendered without jurisdiction in the court, or without notice to the party."); *Koster v. Sullivan*, 160 So. 3d 385 (Fla. 2015) (The party who seeks to invoke the court's jurisdiction bears the burden of proving proper service. (Emphasis added.)); *Old Wayne Mut. Life Ass'n v. McDonough*, 204 U.S. 8 (1907) ("[W]e hold that the judgment in Pennsylvania was not entitled to the faith and credit which, by the Constitution, is required to be given to the public acts, records, and judicial proceedings of the several states, and was void as wanting in due process of law.") (Emphasis added.).

5. The Final Pecuniary Judgment must necessarily be void due to lack of finality on the substantive merits of Appellant's case, adversely affected by the unconstitutional proceedings evidenced by the service-deficient Order (R: 571 – 571) and the hearing-deficient motion for new trial (R: 531 – 535). Because of deprivation of service of process on the Order, the appellate window closed to Appellant who suffered irreparable harm from the loss of appellate review of that Order.

6. It is clear that due process deprivation created a void Order (R: 571 – 571), for such deprivation interfered with Appellant's ability to challenge the Order or otherwise manage the litigation strategy in the context of proper administration of justice. *See Shiver v. Wharton*, 9 So. 2d

**** FILED: BROWARD COUNTY, FL Brenda D. Forman, CLERK 8/18/2025 4:30:00 PM.****

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE22-1459(13) JUDGE: Michael A. Robinson

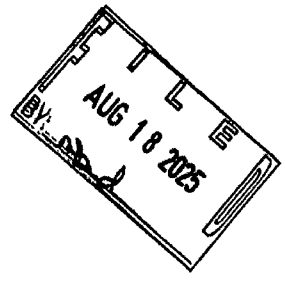
ANDREW ISAACS,

Plaintiff(s),

vs.

MICHELLE ANN-MARIE SHARPE,

Defendant(s)
----------/



ORDER

THIS CAUSE having come on to be reviewed by the court on Plaintiff's Motion For Proof Of Personal Jurisdiction In Absence Of Service Of Process; To Abate All Other Proceedings; And For Judgment On The Pleadings Pursuant To Fla.R.Civ.P. 1.140(b) and the Court having reviewed the same and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that said motion be and the same is hereby DENIED.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida this 15th day of August, 2025.

JUDGE MICHAEL A. ROBINSON
Circuit Court Judge

Copies furnished via email to
all parties

APPENDIX K

**** FILED: BROWARD COUNTY, FL Brenda D. Forman, CLERK 7/11/2025 4:30:00 PM.****

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE22-1459 (13) JUDGE: Michael A. Robinson

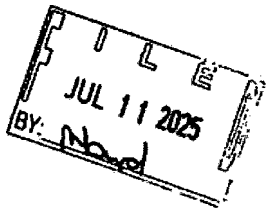
ANDREW ISAACS,

Plaintiff(s),

vs.

MICHELLE ANN -MARIE SHARPE,

Defendant(s)
----------/



ORDER

THIS CAUSE having come on to be reviewed by the court on the Plaintiff's Motion To Request Service Of Process On Written Judicial Order Based On Plaintiff's Motion For New Trial Filed February 11, 2025 and the Court having reviewed the same and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that said motion be and the same is hereby DENIED as moot. The Court issued its written Order on February 26, 2025.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida this 11th day of July, 2025.

JUDGE MICHAEL A. ROBINSON
Circuit Court Judge

Copies to all parties via email

APPENDIX L

Filing # 221525042 E-Filed 04/22/2025 12:48:29 PM

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

ANDREW ISAACS,

Plaintiff,

vs.

MICHELE ANN-MARIE SHARPE,

Defendant.
_____/

CASE NO. 22-001459 CACE

RESPONSE TO PLAINTIFF'S APPLICATION FOR COMPULSORY JUDICIAL NOTICE PURSUANT TO SECTION 90.203, FLORIDA STATUTES RAISING OBJECTION TO DEFENDANT'S ATTORNEY'S FEES AND COSTS IN VIOLATION OF PLAINTIFF'S RIGHTS UNDER THE FOURTEENTH AMENDMENT EQUAL PROTECTION CLAUSE; AND NOTICE OF COMPLIANCE WITH SCHEDULING ORDER ON ATTORNEY FEES AND COSTS - PARAGRAPH 4

COMES NOW the Defendant, MICHELE ANN-MARIE SHARPE, by and through her undersigned counsel and file this Response to Plaintiff's Application for Compulsory Judicial Notice Pursuant to Section 90.203, Florida Statutes Raising Objection to Defendant's Attorney's Fees and Costs in Violation of Plaintiff's Rights under the Fourteenth Amendment Equal Protection Clause; and Notice of Compliance with Scheduling Order on Attorney Fees and Costs - Paragraph 4 and would say as follows:

1. This Court's scheduling Order on Attorney's Fees and Costs required the Plaintiff to, *inter alia*:

> . . . .respond in writing to each line item of cost [sic] and fees. The Response shall agree to each item in whole, or in part, state the legal and factual basis for any objection of the whole or part in questions, provide the name, address and C.V. of their expert, and cite any supporting legal authority . . .

2. The Plaintiff:

APPENDIX M

- requesting Judicial Notice, but of what we don't know;
- objects to every entry of both Evan B. Plotka, P.A. and Marguerite White, Esq.;
- cites as legal authority for every objection the 14th Amended to the United States Constitution;
- cites as factual authority for every objection the testimony of Richard Green and the use of a deposition to impeach the Plaintiff's testimony;
- and does not name an attorney or provide a C.V. for an attorney to testify in opposition to the testimony of Mark Klein, Esq.

3. The undersigned is unaware of any equal protection argument that would stand this Court's scrutiny to the award of an attorney's fee. The relief sought seeks fees as a prevailing party and in no way calls into question the Plaintiff's race, gender, age, national origin, disability or economic status. The only group that Plaintiff belongs to for the purpose of this award is the losing party in a lawsuit with a basis to award attorney's fees.

4. As for the factual allegations raised, to wit: (1) the use of a deposition to impeach the testimony of a party; and (2) calling a witness sitting in the Courtroom when the Rule (§ 90.616, Fla. Stats.) has **not** been invoked, may be fodder for Plaintiff's Motion to New Trial, but are wholly without merit in addressing specific objections to specific time entries in that same case.

5. For the reasons set forth above, and in compliance with Paragraph 4 of this Court's Scheduling Order Attorney Fees and Costs, denies that any legitimate basis has been raised to any particular time entry submitted by the Defendant.

EVAN B. PLOTKA, P.A.
3837 Hollywood Blvd., Suite A
Hollywood, Florida 33021
(954) 334-7600 Telephone
(954) 334-7755 Facsimile
Pleadings@PlotkaLaw.com

By:/s/ Evan B. Plotka
Evan B. Plotka
Fla. Bar No.: 0005540

Filing # 220490942 E-Filed 04/07/2025 05:43:04 PM

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 22-001459
DIVISION: CIVIL

ANDREW ISAACS,

Plaintiff,

v.

MICHELLE ANN-MARIE SHARPE,

Defendant.
_____/

PLAINTIFF'S APPLICATION FOR COMPULSORY JUDICIAL NOTICE PURSUANT TO SECTION 90.203, FLORIDA STATUTES, RAISING OBJECTION TO DEFENDANT'S ATTORNEY'S FEES AND COSTS IN VIOLATION OF PLAINTIFF'S RIGHTS UNDER THE FOURTEENTH AMENDMENT'S EQUAL PROTECTION CLAUSE; AND NOTICE OF COMPLIANCE WITH SCHEDULING ORDER ON ATTORNEY'S FEES AND COSTS – PARAGRAPH 3

COMES NOW, Andrew Isaacs ("Plaintiff"), pro se, and hereby files Application for Compulsory Judicial Notice Pursuant to Section 90.203, Florida Statutes; and, in support thereof, states the following grounds:

INTRODUCTION

1. On February 7, 2025, this court entered Final Judgment for Defendant.

2. On February 10, 2025, Defendant filed Motion to Deem Defendant the Prevailing Party and Motion for Award of Attorney's Fees and Costs.

3. On February 11, 2025, Plaintiff filed Motion for New Trial, which is still not adjudicated by this court. The Motion for New Trial is incorporated herein by reference. An

APPENDIX N

OBJECTION

9. Plaintiff *objects* to each and every line item for attorney's fees and costs listed in the Defendant's Report on the basis of violation of Plaintiff's rights under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. *See* supra, at ¶ 7.

10. On February 3, 2025, the Defendant's counsel cross-examined Plaintiff by using a transcript of Plaintiff's deposition on September 13, 2021 in an unrelated matter. That transcript of Plaintiff's deposition on September 13, 2021was not listed on Defendant's exhibit list.

11. The Defendant's witness, Richard Green, was present in the courtroom throughout the entirety of the trial, before and after his testimony on February 4, 2025.

12. Immediately after the Defendant called witness, Richard Green, to testify, Plaintiff objected to Richard Green providing testimony, but Plaintiff's objection was denied.

13. Plaintiff was denied due process of law.

14. This court's award of attorney's fees and costs was not harmless to Plaintiff.

15. It is well-settled in Florida that "[t]o be preserved for appeal, 'the specific legal ground upon which a claim is based must be raised at trial and a claim different than that will not be heard on appeal.'" *Spann v. State,* 857 So.2d 845, 852 (Fla. 2003) (quoting *Rodriguez v. State,* 609 So.2d 493, 499 (Fla. 1992)).

LEGAL AUTHORITY

16. Section 90.616, Fla. Stat., Exclusion of witnesses, referred to as the Rule, states:

> (1) At the request of a party the court shall order, or upon its own motion the court may order, witnesses excluded from a proceeding so that they cannot hear the testimony of other witnesses except as provided in subsection (2).
> (2) A witness may not be excluded if the witness is:
> (a) A party who is a natural person.
> (b) In a civil case, an officer or employee of a party that is not a natural person. The party's attorney shall designate the officer or employee who

shall be the party's representative.
(c) A person whose presence is shown by the party's attorney to be essential to the presentation of the party's cause.
(d) In a criminal case, the victim of the crime, the victim's next of kin, the parent or guardian of a minor child victim, or a lawful representative of such person, unless, upon motion, the court determines such person's presence to be prejudicial.

The Rule is designed to aid in ensuring a fair trial "by avoiding 'the coloring of a witness's testimony by that which he has heard from other witnesses who have preceded him on the stand,'" *Gore v. State,* 599 So.2d 978, 986 (Fla. 1992) (quoting *Spencer v. State,* 133 So.2d 729, 731 (Fla. 1961)), thereby discouraging "fabrication, inaccuracy and collusion." *Knight v. State,* 746 So.2d 423, 430 (Fla. 1998) (quoting Charles W. Ehrhardt, Florida Evidence § 616.1, at 506 (1998 ed.)).

17. Fourteenth Amendment, Section 1:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

(Emphasis added.)

In *Cooper v. Aaron,* 358 U.S. 1 (1958), the Supreme Court of the United States crystallized the following:

> "Whoever, by virtue of public position under a State government, . . . denies or takes away the equal protection of the laws, violates the constitutional inhibition; and as he acts in the name and for the State, and is clothed with the State's power, his act is that of the State. [...] Thus the prohibitions of the Fourteenth Amendment extend to all action of the State denying equal protection of the laws; whatever the agency of the State taking the action[.]"

(Emphasis added.)

The Fourteenth Amendment's authority applies universally, obligating judicial officers to

uphold its guarantees. Its provisions are not discretionary. Judicial decisions that disregard this Amendment constitute constitutional violations and result in invalid judicial acts.

This case conflicts with the precedent set in *Cooper v. Aaron,* 358 U.S. 1 (1958), which firmly established that the Fourteenth Amendment binds all state agencies and judicial actions. This court's conduct flagrantly violates this principle, stripping the Fourteenth Amendment of its essential protections and authority. This court's error was not harmless to Plaintiff. *See Chapman v. California,* 386 U.S. 18, 24 (1967) (allowing reversal of adverse decision when there is constitutional violation, not declared harmless beyond a reasonable doubt). *See also Old Wayne Mut. Life Ass'n v. McDonough,* 204 U.S. 8 (1907) (holding "that the judgment in Pennsylvania was not entitled to the faith and credit which, by the Constitution, is required to be given to the public acts, records, and judicial proceedings of the several states, and was void as wanting in due process of law") (Emphasis added.); *Sramek v. Sramek,* 840 P.2d 553, 17 Kan. App. 2d 573 (Kan. Ct. App. 1992) ("A judgment is void if the court that rendered it lacked jurisdiction of the parties or if its actions resulted in a denial of due process.").

The Fourteenth Amendment remains a cornerstone of constitutional law, ensuring equal protection of the laws in every forum. A breakdown in the Amendment's application would have devastating consequences for the rule of law.

18. Justice Tanenbaum's concurrence in *Ford Motor Credit Co. v. Parks,* 338 So. 3d 1070 (Fla. 1st DCA 2022), reinforces the necessity of strict adherence to the law: "In the American judicial enterprise, however, there is no room for play in the joints (so to speak) when it comes to faithfully applying the law, not even in a small-claim case." (Emphasis added.)

EXHIBIT A

Angela Stitt <astitt@17th.flcourts.org>
To Assistant Plotka Law Copy Evan Plotka, MegWhite4@msn.com, Michele Sharpe, aisaacs11@comcast.net

Re: Isaacs v. Sharpe CACE22-1459

2/12/2025 10:31 AM

4 attachments

Good morning,

The motion will be reviewed by Judge Robinson and he will inform me of the same.

Thank you,

Thank you,

On Wed, Feb 12, 2025 at 10:25 AM Assistant Plotka Law <assistant@plotkalaw.com> wrote:

RE: CASE NO.: CACE 22-001459

Good Morning Angela:

We received Plaintiff's Motion for New Trial (Attached). Please let us know if Judge Robinson prefers these Motions to be set for hearing.

Thank You



Szilvia Nador

Legal Assistant

Evan B. Plotka, P.A.

Presidential Financial Center

3837 Hollywood Blvd, Suite A

Hollywood, FL 33021

954-334-7600 Telephone

9547-334-7755 Facsimile

Assistant@plotkalaw.com

BRENDA D. FORMAN, BROWARD COUNTY CLERK OF COURTS UCN: 062022CA001459AXXXCE

PROGRESS DOCKET

CASE NO. CACE-22-001459

Andrew Isaacs	§	Location:	**Civil**
Plaintiff	§	Judicial Officer:	**Robinson, Michael A.**
vs.	§	Filed on:	**01/28/2022**
	§	4th District Court of Appeals:	**4D25-2170**
Michelle Ann-Marie Sharpe	§		
Defendant	§		**4D25-3225**
	§	Judicial Assignment Number:	**13**
	§	Uniform Case Number:	**062022CA001459AXXXCE**

CASE INFORMATION

Statistical Closures
07/21/2022 Disposed by Default

Case Type: **Contract and Indebtedness**

Case Status: **07/01/2025 Reopened Active**

Case Flags: **Appeal Filed**
Jury Trial
Exhibits on Que-Tel
Exhibits Exist in QueTel

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	CACE-22-001459
Court	Civil
Date Assigned	01/28/2022
Judicial Officer	Robinson, Michael A.

PARTY INFORMATION

		Lead Attorneys
Plaintiff	**Isaacs, Andrew** *ANDREW ISAACSB C/O Noah Storch* *Richard Celler Legal, P.A* *10368 West State Road 84 Suite 103* *Davie, FL 33314*	**Pro Se** 954-618-9028(H) *ANDREW ISAACSB C/O* *Noah Storch* *Richard Celler Legal, P.A* *10368 West State Road 84* *Suite 103* *Davie, FL 33314* aisaacs11@comcast.net
Defendant	**Sharpe, Michelle Ann-Marie** *16225 SW 26th ST* *Miramar, FL 33027*	**Plotka, Evan B** *Retained* (954)334-7755(F) (954)334-7600(W) *Evan B. Plotka, P.A.* *Presidential Financial Center* *3837 Hollywood Blvd., Suite A* *Hollywood, FL 33021* Pleadings@PlotkaLaw.com

DATE — EVENTS & ORDERS OF THE COURT

10/06/2025 5:30 AM

DISPOSITIONS

Final Judgment

APPENDIX O

Comment (on Attorney's Fees and Costs)

02/07/2025 9:02 PM — **Final Jgmt for Defendant**
Comment (AND CLOSURE)

03/15/2023 — **Order Granting Motion to Vacate Judgment**

07/21/2022 — **Final Judgment**

EVENTS

12/08/2025 — Determination of Indigent Status - Indigent

11/18/2025 — Evidence Scanned to U: Drive
FOR APPEAL REQUEST 4D25-3225

10/31/2025 — Acknowledgment
4D25-3225/ KH

10/28/2025 — Civil Indigent Application Not Issued - Filer Advised
DUPLICATE COPT FROM JULY 2025

10/28/2025 — Notice of Appeal
4D2025-3225// KH
Party: Plaintiff Isaacs, Andrew

10/03/2025 — Exhibit Worksheet

10/03/2025 — Exhibit List

10/01/2025 — Hearing Proceedings

08/18/2025 — Order Denying Motion
Plaintiffs Motion For
Proof Of Personal Jurisdiction In Absence Of Service Of Process; To Abate All Other proceedings

08/14/2025 — 4th DCA Order
4D25-2170; KH/ ORDERED that, upon consideration of Appellant's August 12, 2025 response, the
above-styled appeal is dismissed as untimely filed.

08/13/2025 — Motion for Judgment on Pleadings
Party: Plaintiff Isaacs, Andrew

08/13/2025 — Notice of Hearing

07/30/2025 — Evidence Scanned to U: Drive
For Appeals Request

07/28/2025 — Acknowledgment
4D25-2170/ KH

07/23/2025 — Notice of Filing
DUPLICATE OF INDIGENT APP

07/23/2025 — Notice of Appeal
4D2025-2170/KH
Party: Plaintiff Isaacs, Andrew

07/16/2025 — Determination of Indigent Status - Indigent

07/14/2025 — Civil Application Indigent Status

PROGRESS DOCKET
CASE NO. CACE-22-001459

	INDIGENT Party: Plaintiff Isaacs, Andrew
07/11/2025	Order Denying Motion *to Request Service Of Process*
07/11/2025	Order *ON PLAINTIFF'S APPLICATION FOR COMPULSORY JUDICIAL NOTICE PURSUANT TO SECTION 90.203, FLORIDA STATUTES, RAISING OBJECTION TO DEFENDANT'S ATTORNEY'S FEES AND COSTS IN VIOLATION OF PLAINTIFF'S RIGHTS UNDER THE FOURTEENTH AMENDMENT'S EQUAL PROTECTION CLAUSE AND NOTICE OF COMPLIANCE WITH SCHEDULING ORDER ON ATTORNEY'S FEES AND COSTS -PARAGRAPH 4*
07/01/2025	Motion for Order Party: Plaintiff Isaacs, Andrew
06/26/2025	Notice of Hearing
06/13/2025	Status Conference Notice *June 24,2025 at 8:30 a.m*
04/22/2025	Response *TO PLAINTIFF'S APPLICATION FOR COMPULSORY JUDICIAL NOTICE* Party: Defendant Sharpe, Michelle Ann-Marie
04/07/2025	Motion to Take Judicial Notice Party: Plaintiff Isaacs, Andrew
03/25/2025	Notice of Compliance
03/17/2025	Order Granting Attorney Fees
02/26/2025	Order Denying Motion *Motion For New Trial*
02/25/2025	Response to Motion
02/17/2025	Notice of Hearing
02/15/2025	Response to Motion
02/14/2025	Order *Scheduling Order Attorney Fees & Costs - No Entitlement*
02/11/2025	Motion for New Trial Party: Plaintiff Isaacs, Andrew
02/10/2025	Motion for Attorney Fees Party: Defendant Sharpe, Michelle Ann-Marie
02/06/2025	Order *All evidence, for the above styled case, shall remain in the courtroom*
02/05/2025	Clerk's Exhibit List
02/05/2025	Exhibit Worksheet
02/05/2025	Verdict *JURY*
02/05/2025	Jury Instructions
02/05/2025	Jury Panel Information List
02/05/2025	Clerk's Minutes/Jury Sworn

PROGRESS DOCKET
CASE NO. CACE-22-001459

02/03/2025	Notice of Absence from Jurisdiction
02/03/2025	Motion in Limine Party: Plaintiff Isaacs, Andrew
02/02/2025	Disclosure of Exhibits
02/02/2025	Unilateral Pretrial Stipulation
02/02/2025	Response to Motion
02/02/2025	Jury Instructions *AND VERDICT FORM*
02/01/2025	Unilateral Pretrial Stipulation
02/01/2025	Motion to Strike *PLAINTIFF'S EXHIBIT LIST* *AND AMENDED EXHIBIT LIST* Party: Defendant Sharpe, Michelle Ann-Marie
01/30/2025	Amended *NOTICE OF FILING PLAINTIFF'S EXHIBIT LIST*
01/29/2025	Notice *OF FILING PLAINTIFF'S FACT WITNESS LIST* Party: Plaintiff Isaacs, Andrew
01/29/2025	Notice *OF FILING PLAINTIFF'S EXHIBIT LIST* Party: Plaintiff Isaacs, Andrew
01/28/2025	Notice of Absence from Jurisdiction
01/28/2025	Notice of Hearing
01/26/2025	Notice of Unavailability
01/26/2025	Witness List
01/26/2025	Motion for Continuance Party: Defendant Sharpe, Michelle Ann-Marie
06/01/2024	Notice *PLAINTIFF'S NOTICE OF PRO SE REPRESENTATION* Party: Plaintiff Isaacs, Andrew
05/03/2024	Order Granting Motion to Withdraw
05/03/2024	Order Granting Motion to Withdraw
05/02/2024	Uniform Order Setting Pretrial Deadline *CALENDAR CALL: 01-27-2025 at 10:30 AM*
04/24/2024	Response to Motion
04/14/2024	Notice of Hearing *DATE: Thursday May 02,2024* *TIME: 08:30 AM*
04/14/2024	Motion to Withdraw *counsel for the Defendant, ANDREW ISAACS* Party: Attorney Jaffe, Jonathan Andrew
04/04/2024	Notice of Cancellation

PROGRESS DOCKET

CASE NO. CACE-22-001459

02/16/2024	Notice of Absence from Jurisdiction
02/13/2024	Notice of Unavailability
02/10/2024	Notice of Taking Deposition Duces Tecum
01/25/2024	Notice of Hearing
01/22/2024	Motion for Order to Show Cause Party: Plaintiff Isaacs, Andrew
12/09/2023	Notice of Non Appearance
12/06/2023	Notice of Unavailability
11/02/2023	Subpoena for Deposition Duces Tecum Returned Served *SERVED CORPORATE REPRESENTATIVE PHOENIX LAND TITLE & ESCROW INC ON OCTOBER 30th 2023*
10/20/2023	Notice of Taking Deposition *Corporate Representative, or person with the most knowledge of, Phoenix Land Title & Escrow, Inc. c/o*
10/20/2023	Subpoena Issued By Attorney *SUBPOENA FOR DEPOSITION DUCES TECUM*
04/26/2023	Notice of Unavailability
03/24/2023	Answer & Affirmative Defenses Party: Defendant Sharpe, Michelle Ann-Marie
03/06/2023	Motion to Quash *SERVICE OF PROCESS AND MOTION TO VACATE DEFAULT JUDGMENT* Party: Defendant Sharpe, Michelle Ann-Marie
03/06/2023	Notice of Appearance Party: Defendant Sharpe, Michelle Ann-Marie
03/01/2023	Affidavit *SUPPLEMENTAL AFFIDAVIT OF MICHEL ANN-ANN MARIE SHARPE* Party: Defendant Sharpe, Michelle Ann-Marie
02/28/2023	Affidavit *Carlene Nicholas mother of Michele Sharpe*
01/26/2023	Notice of Unavailability
12/06/2022	Notice of Hearing
12/02/2022	Notice of Hearing
11/18/2022	Response to Motion
11/18/2022	Response to Motion
10/18/2022	Notice of Hearing
10/05/2022	Notice of Unavailability
09/14/2022	Summons Returned Unserved Party: Defendant Sharpe, Michelle Ann-Marie
08/30/2022	Notice of Appearance Party: Defendant Sharpe, Michelle Ann-Marie

PROGRESS DOCKET
CASE NO. CACE-22-001459

08/30/2022	Affidavit *OF MICHELE ANN-MARIE SHARPE*
08/30/2022	Motion to Quash *SERVICE OF PROCESS AND MOTION TO VACATE DEFAULT JUDGMENT* Party: Defendant Sharpe, Michelle Ann-Marie
07/14/2022	Affidavit in Support
07/13/2022	Motion for Default Final Judgment Party: Plaintiff Isaacs, Andrew
07/13/2022	Fact Info Sheet
07/13/2022	Affidavit of Reasonable Attorney Fees
07/13/2022	Affidavit of Reasonable Attorney Fees
05/11/2022	Motion for Default & Default *against* Party: Defendant Sharpe, Michelle Ann-Marie
04/21/2022	Summons Returned Served *19th day of April, 2022* Party: Defendant Sharpe, Michelle Ann-Marie
04/12/2022	eSummons Issuance - On Amended *Michelle Ann-Marie Sharpe*
04/12/2022	Amended Complaint
04/12/2022	Summons Returned Unserved *7th day of April, 2022* Party: Defendant Sharpe, Michelle Ann-Marie
02/02/2022	Clerk's Certificate of Compliance W-2020-73CIV/2020-74-UFC *NONE*
01/28/2022	Complaint (eFiled)
01/28/2022	Civil Cover Sheet Amount: 30,001.00
01/28/2022	eSummons Issuance *Michelle Ann-Marie Sharpe*
01/28/2022	Per AOSC20-23 Amd12, Case is determined General

DATE	FINANCIAL INFORMATION	
	Plaintiff Isaacs, Andrew	
	Total Charges	671.00
	Total Payments and Credits	671.00
	Balance Due as of 12/10/2025	0.00