

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION

NEELAM TANEJA PERRY a/k/a
NEELAM TANEJA,

Plaintiff,

v.

CASE NO.: 24-003892-CI

ROBERT ROCHFORD, et. al.,

Defendants.

DEFENDANT JULIE MARCUS' MOTION TO STRIKE PLAINTIFF'S COMPLAINT

JULIE MARCUS, in her official capacity as Pinellas County Supervisor of Elections, by and through the undersigned counsel, pursuant to Florida Rule of Civil Procedure 1.140(f), hereby moves this Honorable Court for an order striking Plaintiff's pleading titled "Emergency Injunction and Complaint to Contest to Primary Election Results of August 20, 2024 Based on Misconduct, Fraud, Corruption" dated August 29, 2024, and in support states as follows.

1. Plaintiff, Neelam Taneja Perry also known as Neelam Taneja, and formerly known as Neelam Taneja Uppal, initiated the present action pro se by filing a purported complaint seeking to contest the August 20, 2024 primary election results in Pinellas County and requesting injunctive relief. *See generally* Compl., Doc. 3.

2. In 2019, Plaintiff was sanctioned by the Honorable Amy M. Williams and Honorable Thomas Ramsberger in case number 18-000022-AP and definitively "barred from filing any further actions in the Sixth Judicial Circuit without an attorney currently licensed by the Florida Bar Association." *Exhibit A* (hereinafter "2019 Sanctions Order). The sanctions were based on Plaintiffs pattern of filing pro se misleading, frivolous, unfounded and outlandish claims. *Id.* The Court also noted Plaintiff's extensive history of filing frivolous pro se claims, failure to follow applicable rules and procedures, asserting untimely claims, and prior sanctions. *Id.*

3. “When a pro se litigant files frivolous law suits or pleadings in a lawsuit, the court has the authority to restrain such a litigant from abusing the legal system and prevent [her] from abusing, annoying or harassing those against whom such suits or pleadings have been filed.” *Balch v. HSBC Bank, USA, N.A.*, 128 So. 3d 179, 181 (Fla. 5th DCA 2013). “A pro se litigant who files frivolous pleadings [may] be prohibited from any further filings unless signed by a licensed attorney. *Id.*”

4. A pro se litigant with a history of frivolous filings and abusive misuse of the judicial process may be sanctioned with a bar from further filings “unless submitted and signed by a member in good standing of The Florida Bar.” *Day v. Vinson*, 713 So. 2d 1016, 1016-17 (Fla. 2d DCA 1998). Further pro se filings in contradiction to a court’s order should be summarily stricken. *Id.* at 1017; *see also Slizyk v. Smilack*, 734 So. 2d 1166 (Fla. 5th DCA 1999) (finding that the court has “inherent power to prevent abuse of court procedure by *inter alia* prohibiting *pro se* parties from appearing without the assistance of counsel); *Pettway v. State*, 725 So. 2d 428 (Fla. 2d DCA 1999) (imposing a bar against further pro se filings and ordering that future pro se filings be summarily stricken).

5. Plaintiff sought review of the 2019 Sanctions Order by a writ of certiorari to the Second District Court of Appeal but filed a stipulation of settlement and dismissal which was treated as a notice of voluntary dismissal of the writ prior to obtaining any relief. *Composite Exhibit B.* Accordingly, the 2019 Sanctions Order and bar from filing pro se suits remains in effect.

6. A thorough review of Plaintiff’s convoluted, disorganized, vague and speculative initial pleading reveals it embodies exactly the kind of frivolous, misleading, outlandish and unfounded claims that resulted in the 2019 Sanctions Order.

7. Plaintiff submitted a Florida Voter Registration Application dated June 30, 2021 in which she indicated a name change from “Neelam Taneja Uppal” to “Neelam Taneja Perry.” *Exhibit C.*

8. Plaintiff willfully and directly violated the 2019 Sanctions Order by filing the present action pro se, without an attorney licensed in Florida, demonstrating her continued disrespect for the sanctity of the court system. Accordingly, the initial pleading titled “Emergency Injunction and Complaint to Contest to Primary Election Results of August 20, 2024 Based on Misconduct, Fraud, Corruption” dated August 29, 2024 should be stricken.

WHEREFORE, Julie Marcus, in her official capacity as Pinellas County Supervisor of Elections, respectfully moves this Honorable Court for an Order striking Plaintiff’s pleading titled “Emergency Injunction and Complaint to Contest to Primary Election Results of August 20, 2024 Based on Misconduct, Fraud, Corruption” dated August 29, 2024, and for any such further relief deemed just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 6, 2024, the foregoing document was filed with the Clerk of the Court by using the Florida Courts E-Filing Portal, and served to the following parties:

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of representation prior to service; and AMANDA
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