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 AMANDA COFFEY'S
MOTION TO STRIKE PLAINTIFF'S COMPLAINT

Exhibit A

ORDER GRANTING IN PART APPELLEE'S MOTION FOR SANCTIONS DAMAGES ATTORNEY'S FEES AND COSTS

AND

ORDER GRANTING IN PART APPELLEE'S AMENDED MOTION FOR SANCTIONS DAMAGES ATTORNEY'S FEES AND COSTS

AND

ORDER DENYING APPELLANT'S MOTION FOR RECONSIDERATION

DATED MAY 29, 2019

EXHIBIT A

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

NEELAM UPPAL
Appellant,

CASE NO.: 18-000022-AP-88B
LOWER CT CASE NO.: 10-004509-SC

v.

CHARLENE RODRIGUEZ
Appellee.
_____/

ORDER GRANTING, IN PART, APPELLEE'S MOTION FOR SANCTIONS, DAMAGES, ATTORNEY'S FEES AND COSTS
AND
ORDER GRANTING, IN PART, APPELLEE'S AMENDED MOTION FOR SANCTIONS, DAMAGES, ATTORNEY'S FEES AND COSTS
AND
ORDER DENYING APPELLANT'S MOTION FOR RECONSIDERATION

THIS MATTER is before the Court on Appellee's Motion for Sanctions, Damages, Attorney's Fees and Costs and Supporting Memorandum of Law, filed on July 6, 2018, and Appellee's Amended Motion for Sanctions, Damages, Attorney's Fees and Costs and Supporting Memorandum of Law, filed on April 25, 2019. The Court has also reviewed Appellant's Objection and Motion to Strike and Cross-Motion for Sanctions of the Appellee, filed on April 29, 2019. On May 3, 2019, the Court ordered Appellant to show cause why the Court should not impose sanctions. Appellant filed a Response and Motion for Reconsideration on May 14, 2019. After reviewing Appellee's Motions, Appellant's Objection and Motions, Appellant's Response and Motion for Reconsideration, the court file, and the record, the Court finds as follows:

The Court finds that Appellant, acting *pro se*, has filed at least five appeals with this Court (11-10-AP, 11-34-AP, 13-74-AP, 13-82-AP, 18-22-AP), including the instant appeal, at least four with the Second District Court of Appeal (2D12-4974, 2D13-477, 2D14-706, 2D18-2458), at least

one with the Florida Supreme Court (SC18-1819), has filed multiple bankruptcy proceedings in the Middle District of Florida (8:12-bk-18946-CPM, 8:13-bk-5601-CPM, 8:15-bk-00594-CPM, 8:17-bk-10140-CPM), and in the Southern District of New York (1:16-bk-12356-jlg), including accompanying adversary proceedings and appeals to the federal courts, during the pendency of and/or related to her lower court case, 10-4509-SC. The Court finds that Appellant has been unsuccessful in each of her appeals, bankruptcy filings, and other filings. Furthermore, it appears Appellant has failed to comply with applicable appellate rules and procedures in many of her filings. The Court finds that in many of her appeals, Appellant continually makes untimely claims, even after the Court has pointed out in previous orders that her claims regarding certain final judgments were untimely. Appellant has received sanctions in several of her other cases, including attorney's fees and being barred from filing a bankruptcy case for two years in the Middle District of Florida, based on her abusive filing practices and meritless pleadings.

Appellant has previously been warned in this instant appeal regarding filing documents that are misleading and/or frivolous in nature. Additionally, in the instant appeal, Appellant makes unfounded, outlandish claims that the trial judge was in some way colluding with Appellee's trial attorney.

The Court further finds that in Appellant's lower court case, she filed approximately eleven claims of exemption, most identical or nearly so. The Court finds that Appellant's repetitious and continuous filing created a convoluted and voluminous lower court record for this Court to review in determining if Appellant's claims in the instant appeal had any merit.

This Court finds that "courts have consistently held that pro se litigants should be treated no differently or more leniently than litigants represented by counsel." *Balch v. HSBC Bank, USA, N.A.*, 128 So. 3d 179, 182 (Fla. 5th DCA 2013).

> 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.

Id. at 181. "A pro se litigant who files frivolous pleadings [may] be prohibited from any further filings unless signed by a licensed attorney." *Id.*

In Appellant's Response and Motion for Reconsideration she asserts again that there is an active stay issued by the United States Court of Appeals for the Second Circuit that prohibits this Court from acting. Appellant has attached a "Notice of Required Case Status Update," which indicates that at least in November 2018 there was a stay in place; however, contrary to Appellant's assertions, the stay was only in regards to case number 17-cv-8510 and has no impact on the instant case. Additionally, Appellant has attached an order from the Second District Court of Appeal in part denying Appellee's motion for sanctions in case 2D18-2458. The Court finds, however, that this was a different motion for sanctions and the denial of such has no bearing on this Court's ruling on the instant motions for sanctions. The Court finds these arguments unconvincing and finds that Appellant's Motion for Reconsideration should be denied.

The Court further finds that based on the above, it will grant Appellee's Motion for Sanctions, Damages, Attorney's Fees and Costs and Amended Motion for Sanctions, Damages, Attorney's Fees and Costs, in part.

It is therefore **ORDERED AND ADJUDGED** that the Court orders that Appellant is barred from filing any further actions in the Sixth Judicial Circuit without an attorney currently licensed by the Florida Bar Association. The Court further orders that Appellant must pay Appellee's attorney's fees related to this instant appeal. The Court **REMANDS** this case to the lower court for calculation of the amount of attorney's fees.

It is further **ORDERED AND ADJUDGED** that Appellee's Motion for Sanctions, Damages, Attorney's Fees and Costs is hereby **GRANTED, IN PART.**

It is further **ORDERED AND ADJUDGED** that Appellee's Amended Motion for Sanctions, Damages, Attorney's Fees and Costs is hereby **GRANTED, IN PART.**

It is further **ORDERED AND ADJUDGED** that Appellant's Motion for Reconsideration is hereby **DENIED.**

DONE AND ORDERED in Chambers at St. Petersburg, Pinellas County, Florida, this 29 day of May, 2019.

AMY M. WILLIAMS,
Circuit Judge, Appellate Division

LINDA R. ALLAN,
Circuit Judge, Appellate Division

THOMAS RAMSBERGER,
Circuit Judge, Appellate Division

STATE OF FLORIDA-PINELLAS COUNTY
I hereby certify that the foregoing is a true copy as the same appears among the files and records of this court.
This 4 day of September, 2019
KEN BURKE
Clerk Circuit Court
By: _____ Deputy Clerk

Copies furnished to:

Honorable Lorraine Kelly, Judge

Neelam Uppal
P.O. Box 1002
Largo, Florida 33779

George Wilkinson, Esq.
G. Barry Wilkinson, P.A.
P.O. Box 8102
Madeira Beach, Florida 33738-8102

Miguel M. Cordano, Esq.
John D. Bernstein, Esq.
Liebler, Gonzalez, & Portuondo
Courthouse Tower- 25th Floor
44 West Flagler Street
Miami, Florida 33130