

IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT, IN AND
FOR FLAGLER COUNTY, FLORIDA

CASE NUMBER: 2022 CA 000370
DIVISION NUMBER:

RICK STALY, in his official capacity
as Sheriff of Flagler County, Florida,

Plaintiff,

vs.

JOHN DRIGGERS,
CODY DRIGGERS,
CHEYENNE DONALDSON,
JAMES DONALDSON,
HALEY SCOTT,

Defendants.
_____ /

COMPLAINT

COMES NOW, RICK STALY, in his official capacity as Sheriff of Flagler County, Florida, by and through the undersigned attorney, files this Complaint for injunctive relief against John (Shannon) Driggers and purported tenants Cody Driggers, James Donaldson, Cheyenne Donaldson, and Haley Scott Defendants herein, and alleges:

PARTIES

1. Plaintiff is the duly elected Sheriff of Flagler County, Florida, and also as an individual, who resides and holds office in Flagler County, Florida.
2. Defendant John (Shannon) Driggers, an individual, is the registered owner and a resident of 2345 Blueberry Street, Bunnell, Florida 32110.

3. Defendant Cody Driggers, an individual, resides on the property of 2345 Blueberry Street, Bunnell, Florida 32110.
4. Defendant Cheyenne Donaldson, an individual, is a resident of 2345 Blueberry Street, Bunnell, Florida 32110.
5. Defendant James Donaldson, an individual, is a resident of 2345 Blueberry Street, Bunnell, Florida 32110.
6. Defendant Haley Scott, an individual, is a resident of 2345 Blueberry Street, Bunnell, Florida 32110.

JURISDICTIONAL STATEMENT

7. This action seeks an injunction for the abatement of a nuisance as provided for in §60.05, Florida Statutes (2021). This action is a matter within the jurisdiction of the Court in accordance with §26.012(3) of the Florida Statutes.

VENUE

8. Venue in Flagler County, Florida is proper in this action under §47.011 of the Florida Statutes. The property in question is located within Flagler County. Further, the conduct giving rise to this action occurred and continues to occur within Flagler County.

FACTS

9. This request for injunctive relief relates to the real property located in Flagler County, Florida ("the Property") with the street address of 2345 Blueberry Street, Bunnell, Florida 32110. Exhibit A. The Property constitutes a nuisance pursuant to sections §§823.01, 823.05(1) and 823.10 Florida Statutes (2021)

10. Defendant John (Shannon) Driggers is the registered owner of the Property. Id.
Defendants Cody Driggers, Cheyenne Donaldson, James Donaldson, and Haley Scott all reside and/or are tenants at the Property. All of the Defendants are involved in criminal activity, with extensive criminal histories, including drug abuse. The individual criminal histories are available to the Court and will be produced by the Petitioner as directed.
11. Defendant John (Shannon) Driggers has been arrested for 11-felony charges and 17-misdemeanor charges. He has 3-felonies where adjudication was withheld and 11-misdemenaor convictions. He is pending disposition of criminal charges in 2022 MM 397.
12. Defendant Cody Driggers has been arrested on 8-felony charges and 13-misdemeanor charges. He has a total of 5-felony convictions. Defendants Cody Driggers and Haley Scott are pending charges in 2022 CF 303 for violations of §812.014(2)(D), Grand Theft of a Dwelling and §812.014(2)(E), Petit Theft from a Building.
13. Defendant Cheyenne Donaldson has 4-felony charges and 2-misdemeanor charges. She is pending adjudication in 2022 CF 0355 for violations of §893.03(2), Possession of a Schedule II substances (fentanyl/heroin/methamphetamine). These substances were seized at the Property. Further, Defendant Donaldson currently has an active warrant and is a fugitive for failure to appear in the referenced case.
14. Defendant James Donaldson has 5-felony charges and 2-misdemeanor charges. is pending charges in 2022 CF 0349 for violations of §893.03(2), Possession of a Schedule II substances (methamphetamine). This substance was seized at the Property.
15. Defendant Haley Scott has been arrested for 2-felony charges and 2-misdemeanor charges. Recently in 2022 CF 348 was adjudicated guilty for violations of §893.13(6a), Possession

of Controlled substances.

16. Plaintiff and his deputies routinely and frequently address criminal activity and public safety concerns at the Property. Between May 20, 2020 and May 25, 2022, parties at the Property have engaged in conduct which caused the Flagler County Sheriff's Office to respond 40-times to the Property. Composite Exhibit B.

17. During his time owning and/or maintaining the property in question, John (Shannon) Driggers has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:

- a. Commission of other criminal actions within the boundaries of the residence to include domestic violence; and
- b. Facilitating the sales of narcotics;
- c. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
- d. Sale of drugs from the residence;
- e. Use of the residence for possession of drugs as evidenced by his arrest and conviction in Flagler County Circuit Court case(s) 2019 CF 000448.

18. During their time renting and/or maintaining the property in question, each of the remaining Defendants has repeatedly engaged in and/or allowed the following activities at the property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:

- a. Commission of multiple criminal acts centered from and while residing at the referenced address;
- b. Facilitating the sales of narcotics;
- c. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;

- d. Sale of drugs from the residence;
 - e. Use of the residence for possession of drugs and drug paraphernalia.
19. On April 21, 2022, Plaintiff served the First Notice to Abate Nuisance on Defendants by personal service. See Composite Exhibit C. The complained of conduct as to each Defendant as set forth in the First Notice to Abate Nuisance is adopted and incorporated into this complainant.
20. On May 5, 2022, Plaintiff served the Second Notice to Abate Nuisance on Defendants by personal service. See Composite Exhibit D.
21. The Defendants failed to respond to either Notice provided them. The nuisance has not abated. In fact three of the Defendants John (Shannon) Driggers, James Donaldson, and Haley Scott have been arrested/charged since receiving a Notice to Abate Nuisance.
22. The conduct of the Defendants, which the Plaintiff seeks to enjoin, directly impacts the other residents of Blueberry Street. These residents have been the subject of criminal activity, harassment, and threats from residents and visitors at the Property. The residents of Blueberry Street routinely hear the discharge of firearms and the odor of what they believe to be the results of the Defendants or their guests cooking methamphetamines. These interactions directly impact the value and quiet enjoyment of their property. See Exhibit E.
23. Pursuant to §60.05(2) no bond is required to proceed in this matter.
24. Plaintiff has no adequate remedy at law. Florida Statute makes clear any activity which tends to “annoy the community” constitutes a nuisance. Specifically, §823.05 provides:
- A person who erects, establishes, continues, maintains, owns, or leases any of the following is deemed to be maintaining a nuisance, and the building, erection, place, tent, or booth, and the furniture, fixtures, and contents of such structure, are

declared a nuisance, and all such places or persons shall be abated or enjoined as provided in ss. 60.05 and 60.06:

- a. A building, booth, tent, or place that tends to annoy the community or injure the health of the community, or becomes manifestly injurious to the morals or manners of the people as provided in s. 823.01.
- b. A house or place of prostitution, assignation, or lewdness.
- c. A place or building in which persons engage in games of chance in violation of law.
- d. A place where any law of the state is violated.

25. These violations continue with no sign of abating. The Plaintiff and the citizens of Flagler County, Florida will continue to suffer irreparable injury, loss and damage if the conduct of the Defendants is not enjoined.

26. At trial the Plaintiff has a substantial likelihood of success on the merits. Within this pleading the Plaintiff sets forth its extensive contacts with the Property and summarizes the criminal history of each Defendant. The record produced will survive close scrutiny.

27. An injunction serves the public interest. The conduct of the Defendants, which the Plaintiff seeks to enjoin, violates the rights of the Plaintiff and the citizens of Flagler County.

28. The only way to ensure with certainty these activities cease and to abate the nuisance is for John (Shannon) Driggers, Cody Driggers, Cheyenne Donaldson, James Donaldson and Haley Scott to no longer enter upon, gather, reside, or maintain the property in question. Further, John Driggers should be required to ensure future resident(s) do not engage in similar conduct. This action requested is consistent with §60.05.

REQUESTED RELIEF

WHEREFORE, Sheriff of Flagler County, Florida, Plaintiff, requests this Honorable Court grant relief as follows:

29. Plaintiff requests a temporary injunction be issued preventing additional, immediate, and irreparable harm to Plaintiff and the citizens of Flagler County, Florida. To this end the Plaintiff requests the Court to:

- a. Enter a Temporary Injunction against John (Shannon) Driggers ordering him to immediately vacate the Property; enjoining him from directly or indirectly entering, gathering, maintaining, residing, or otherwise remaining on the Property; and
- b. Enter a Temporary Injunction against each of the remaining Defendants ordering them to immediately vacate the Property; enjoining them from directly or indirectly entering, gathering, maintaining, residing, or otherwise remaining on the Property; and
- c. Enter a Temporary Injunction against Defendant John (Shannon) Driggers specifically prohibiting him from leasing, renting, or otherwise permitting individuals to reside and/or gather upon the Property who may engage in activity in violation of §823.05 or any other criminal statute;
- d. Enter a Temporary Injunction prohibiting contact between the Defendants and Toni Lemon, Marcus Lemon, and Kirk Vanshaick; and
- e. Enter a Temporary injunction which permits the Sheriff to post a notice on the Property identifying each of the Defendants and the action taken by the Court in this matter; and
- f. Assess Defendants costs and adjudge the costs as a lien on the property.


30. On final trial on the merits, Plaintiff requests that the Court grant the following injunctive relief:

- a. Enter a Permanent Injunction enjoining Defendants from directly or indirectly entering, gathering, maintaining, residing, or otherwise remaining on the Property; and
- b. Enter a Permanent Injunction against Defendant John (Shannon) Driggers specifically prohibiting him from leasing, renting, or

otherwise permitting individuals to reside and/or gather upon the Property who may engage in activity in violation of §823.05 or any other criminal statute;

- c. Assess Defendants costs and adjudge the costs as a lien on the property.
- d. The Court grant such other and further relief which may be awarded at law or in equity.

Respectfully Submitted,



John T. LeMaster
Fla. Bar No. 851981
FLAGLER COUNTY SHERIFF'S OFFICE
P.O. Box 879
Bunnell, FL 32110
Office: 386-586-4829
primary: jlemaster@flaglersheriff.com
COUNSEL FOR THE SHERIFF

QUIT CLAIM

This instrument prepared by and RETURN TO:

John S. Driggers
2345 Blueberry Street
Bunnell, FL 32110

Property Appraisers Parcel ID # 13-12-28-1800-01460-0110

THIS QUIT-CLAIM DEED, Executed this 12th day of March, 2018, by GREGORY C. JELM and R. CARMA JELM (formerly R. Carma Farnsworth), Husband and Wife, hereinafter called the Grantors, to JOHN S. DRIGGERS, a single person, whose post office address is 2345 Blueberry Street, Bunnell, FL 32110, hereinafter called the Grantee.

WITNESSETH, That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Flagler, State of Florida, to-wit:

Lot 11, Block 146, Daytona North, a subdivision according to the plat of map thereof as described in Plat Book 10, at page(s) 1-15 of the Public Records of Volusia County, Florida.

Subject to Taxes for the year 2017 and subsequent years; assessments of any homeowners or community association, restrictions, covenants, easements, dedications, reservations, resolutions, conditions and declaration of record, if any.

This deed was prepared without the benefit of a title search.

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

Kathy A Havens
Witness as to Grantors

Gregory C Jelm
GREGORY C. JELM, Grantor

Kathy A. Havens
Print Name

[Signature]
Witness as to Grantors

Carmen Otero
Print Name

R. Carma Jelm
R. CARMA JELM (formerly R. Carma Farnsworth), Grantor

STATE OF FLORIDA
COUNTY OF Flagler

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared GREGORY C. JELM and R. CARMA JELM (formerly R. Carma Farnsworth), husband and wife, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, and an oath was not taken. Said persons are personally known or presented their drivers' licenses as identification.

Witness my hand and official seal in the County and State last aforesaid this 12th day of March, 2018.



Patricia M. Kennedy
Notary Signature

My Commission expires: 3-25-20

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Owner Information

Primary Owner
 Driggers John S
 2345 Blueberry Street
 Bunnell, FL 32110

Parcel Summary

Parcel ID 13-12-28-1800-01460-0110
 Prop ID 5518
 Location 2345 BLUEBERRY ST
 Address BUNNELL, FL 32110
 Brief Tax Description* DAYTONA NORTH SUBD BLOCK 146 LOT 11 OR 108 PG 528 OR 168 PG 384 OR 179 PG 410 RP TAG #RO47330 & RO47331 OR 281 PG 759 OR 507 PG 1830 OR 543 PG 1374 OR 1515 PG 1267 OR 2266/1835
 (Note: *The Description above is not to be used on legal documents.)
 Property Use Code MOBILE HOME (000200)
 Tax District DAYTONA NORTH SERVICE DISTRICT AREA (District 76)
 Millage Rate 14.6006
 Homestead Y
 GIS sqft 49,601.679

[View Map](#)

Valuation

	2022 Working Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$37,254	\$33,061	\$25,611	\$21,166
Extra Features Value	\$5,850	\$4,602	\$4,779	\$4,779
Land Value	\$19,000	\$10,000	\$8,500	\$7,500
Land Agricultural Value	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0
Just (Market) Value	\$62,104	\$47,663	\$38,890	\$33,445
Assessed Value	\$35,734	\$34,694	\$34,215	\$33,445
Exempt Value	\$25,000	\$25,000	\$25,000	\$25,000
Taxable Value	\$10,734	\$9,694	\$9,215	\$8,445
Protected Value	\$26,370	\$12,969	\$4,675	\$0

Current Exemptions on this parcel:
 HEX - HOMESTEAD
 HEX-A - ADDTL 25K HOMESTEAD

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Historical Assessment

Year	Building Value	Extra Features Value	Land Value	Agricultural Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2020	\$25,611	\$4,779	\$8,500	\$0	\$38,890	\$34,215	\$25,000	\$9,215	\$4,675
2019	\$21,166	\$4,779	\$7,500	\$0	\$33,445	\$33,445	\$25,000	\$8,445	\$0
2018	\$22,123	\$4,956	\$7,000	\$0	\$34,079	\$32,939	\$0	\$32,939	\$1,140
2017	\$19,378	\$5,133	\$6,500	\$0	\$31,011	\$29,944	\$0	\$29,944	\$1,067
2016	\$15,412	\$5,310	\$6,500	\$0	\$27,222	\$27,222	\$0	\$27,222	\$0
2015	\$14,196	\$5,487	\$6,500	\$0	\$26,183	\$26,183	\$0	\$26,183	\$0
2014	\$13,045	\$5,664	\$8,000	\$0	\$26,709	\$26,709	\$0	\$26,709	\$0
2013	\$13,045	\$5,841	\$8,000	\$0	\$26,886	\$26,886	\$0	\$26,886	\$0
2012	\$13,045	\$4,177	\$8,000	\$0	\$25,222	\$20,097	\$20,097	\$0	\$5,125
2011	\$13,045	\$4,469	\$10,000	\$0	\$27,514	\$19,511	\$19,511	\$0	\$8,003
2010	\$14,580	\$4,761	\$0	\$0	\$29,341	\$0	\$0	\$0	\$29,341
2009	\$14,734	\$5,139	\$0	\$0	\$37,873	\$0	\$0	\$0	\$37,873

TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

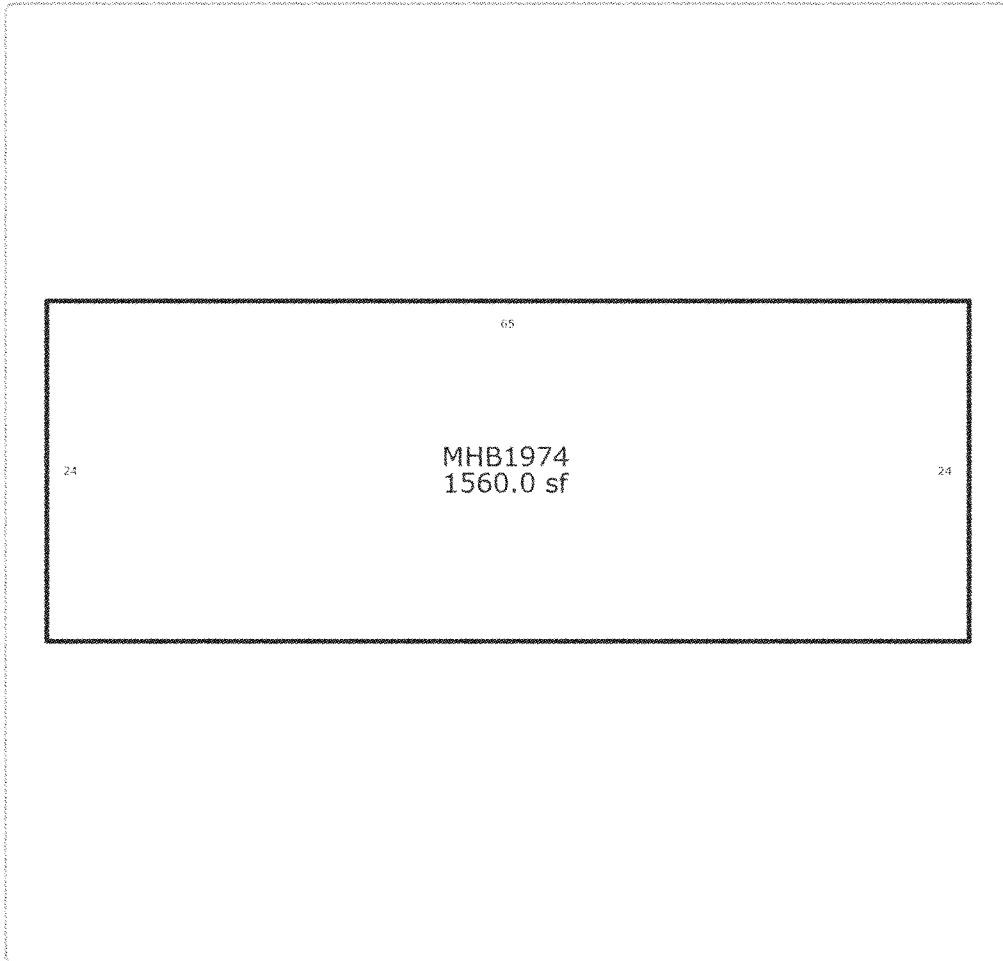
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Residential Buildings

Building Type	MOBILE FAM	Floor Cover	CARPET; VINYL TILE
Total Area	1,560	Heat	FO AIR DCT
Heated Area	1,560	Air Conditioning	CENTRAL
Exterior Walls	VINYL SIDI	Bedrooms	0.00
Roof Cover	SH MTL MIN	Bathrooms	1.00
Interior Walls	PLYWDPNL	Actual Year Built	1974
Frame Type	WOOD FRAME	Effective Year Built	1974

Sketches



Building Area Types

Type	Description	Sq. Footage	Act Year
MHB	MOB HM BAS	1,560	1974

Extra Features

Code	Description	Area	Effective Year Built
001601	DET,GARAGE AVG.COST	600	1996

Sales

Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Link to Official Records
3/12/2018	\$0	QC	2266	1835	Unqualified (U)	Improved	*JELM GREGORY C & R CARMA	Link (Clerk)
11/16/2006	\$0	QC	1515	1267	Qualified (Q)	Improved	JELM GREGORY C	Link (Clerk)

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Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Link to Official Records
11/1/1995	\$18,500		543	1374	Unqualified (U)	Improved	* KELKITES DAVID V AND	Link (Clerk)
3/1/1994	\$23,000		507	1830	Unqualified (U)	Improved	* Unknown Seller	Link (Clerk)
5/1/1986	\$0		281	759	Qualified (Q)	Improved	* Unknown Seller	Link (Clerk)
10/1/1981	\$5,000		179	410	Unqualified (U)	Vacant	* Unknown Seller	Link (Clerk)
4/1/1981	\$19,500		168	384	Qualified (Q)	Vacant	* Unknown Seller	Link (Clerk)
2/1/1900	\$19,960		0	0	Unqualified (U)	Vacant	* CONVERSION	Link (Clerk)
1/1/1900	\$29,001		0	0	Unqualified (U)	Vacant	* CONVERSION	Link (Clerk)

No data available for the following modules: Property Information, Commercial Buildings, Photos.

The Property Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. If you feel that any information contained herein is incorrect, please contact our office at (386) 313-4150.

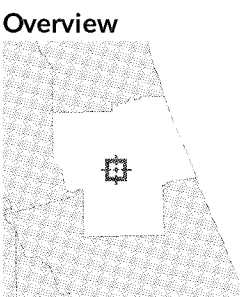
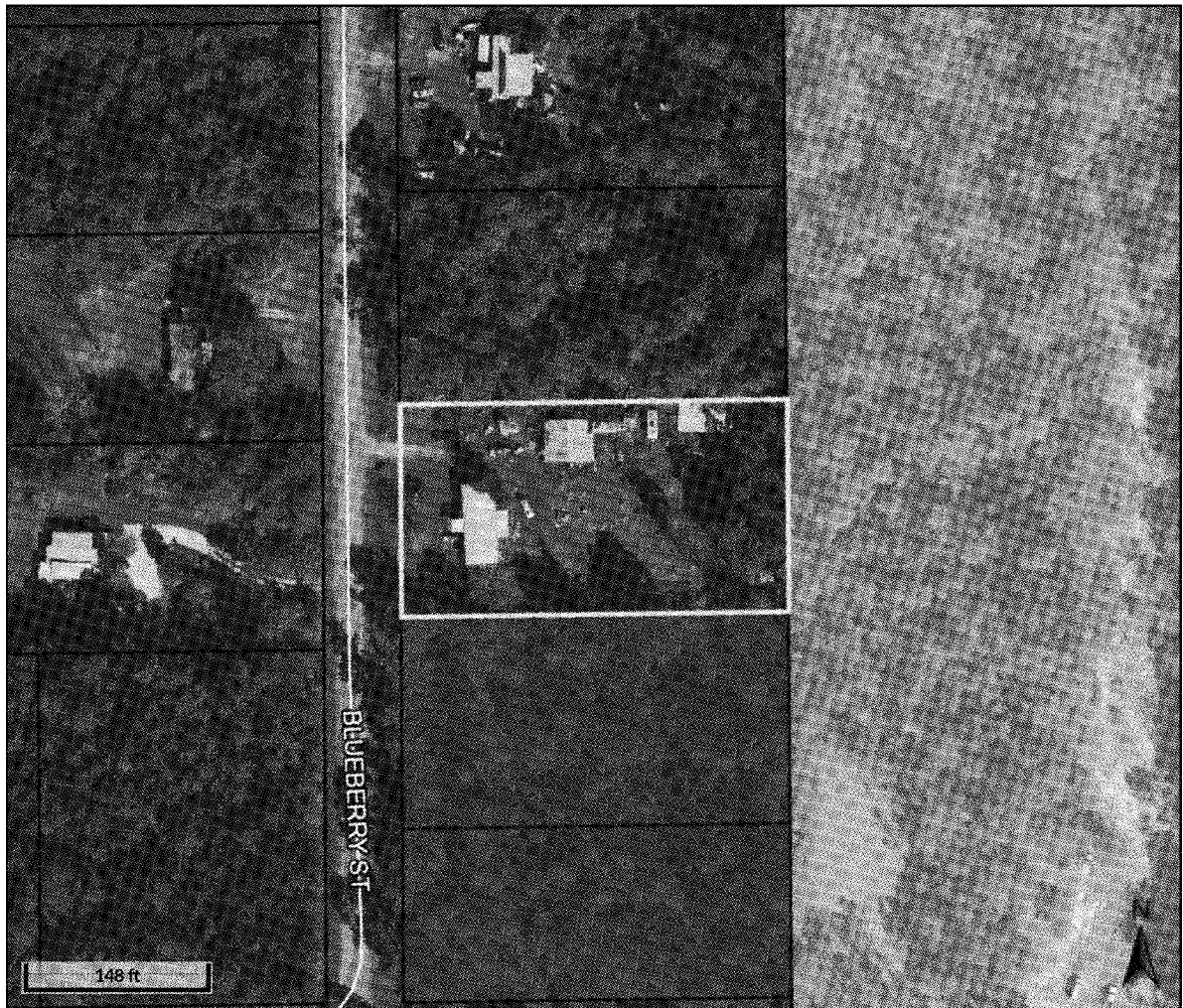
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- Legend**
- Parcels
 - Yearly Sales**
 - 2019
 - 2020
 - 2021
 - 2022
 - Roads
 - Streams and River

Parcel ID	13-12-28-1800-01460-0110	Owner	DRIGGERS JOHN S 2345 BLUEBERRY STREET BUNNELL, FL 32110	Land Value	\$19,000	Last 2 Sales							
Prop ID	5518	Physical Address	2345 BLUEBERRY ST	Ag Land Value	\$0	Date	3/12/2018	Price	0	Reason	I	Qual	U
Class Code	MOBILE HOME			Building Value	\$37,254		11/16/2006	0	I			Q	
Taxing District	76			Misc Value	\$5,850								
GIS sqft	49,601.679			Just Value	\$62,104								
				Assessed Value	\$35,734								
				Exempt Value	\$25,000								
				Taxable Value	\$10,734								

Date created: 6/2/2022
 Last Data Uploaded: 6/2/2022 8:12:03 AM

Developed by Schneider
 GEOSPATIAL

Report Time: 06/02/2022 15:19 **Login ID:** **Jurisdiction:**
Incident Number: **Call Number:** **Agencies:** Police, Fire, EMS
From Date: 05/20/2020 04:00 **To Date:** 06/03/2022 03:59 **Phone Number:**
Last Name: **First Name:** **Location:** 2345 BLUEBERRY ST, Bunnell
Plate #: **Plate State:** **Include Canceled:** No
Type: **Priority:** **Source:**
Disposition: **Unit:** **Officer:**
Narrative:

Create Date/Time	Call Type	Location	State	Primary Incident	Primary Incident ORI
5/25/2022 16:53	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2022-00046988	FL0180000: Flagler County Sheriff's Office
5/9/2022 9:26	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2022-00041839	FL0180000: Flagler County Sheriff's Office
5/8/2022 19:02	NARCOTICS	2345 BLUEBERRY ST, Bunnell	FL	2022-00041692	FL0180000: Flagler County Sheriff's Office
5/6/2022 10:19	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2022-00040794	FL0180000: Flagler County Sheriff's Office
5/5/2022 16:02	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2022-00040548	FL0180000: Flagler County Sheriff's Office
4/22/2022 11:14	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2022-00036064	FL0180000: Flagler County Sheriff's Office
4/12/2022 18:35	WEAPONS COMPLAINT	2345 BLUEBERRY ST, Bunnell	FL	2022-00032814	FL0180000: Flagler County Sheriff's Office
4/12/2022 3:48	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2022-00032582	FL0180000: Flagler County Sheriff's Office
3/14/2022 17:08	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2022-00023217	FL0180000: Flagler County Sheriff's Office
3/12/2022 1:01	DISTURBANCE VERBAL	2345 BLUEBERRY ST, Bunnell	FL	2022-00022341	FL0180000: Flagler County Sheriff's Office
2/26/2022 16:56	WEAPONS COMPLAINT	2345 BLUEBERRY ST, Bunnell	FL	2022-00017728	FL0180000: Flagler County Sheriff's Office
2/25/2022 22:48	SUSPICIOUS INCIDENT	2345 BLUEBERRY ST, Bunnell	FL	2022-00017497	FL0180000: Flagler County Sheriff's Office
2/21/2022 16:39	SV	2345 BLUEBERRY ST, Bunnell	FL	2022-00016082	FL0180000: Flagler County Sheriff's Office
2/14/2022 17:51	911 INVESTIGATION	2345 BLUEBERRY ST, Bunnell	FL	2022-00013759	FL0180000: Flagler County Sheriff's Office
2/14/2022 9:45	ASSIST PUBLIC	2345 BLUEBERRY ST, Bunnell	FL	2022-00013611	FL0180000: Flagler County Sheriff's Office
1/18/2022 2:46	ASSIST OTHER AGENCY	2345 BLUEBERRY ST, Bunnell	FL	2022-00000880	61091: Flagler County Fire Rescue
12/30/2021 15:24	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2021-00115737	FL0180000: Flagler County Sheriff's Office
12/18/2021 17:29	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2021-00111984	FL0180000: Flagler County Sheriff's Office
12/9/2021 22:39	OVERDOSE/POISONING	2345 BLUEBERRY ST, Bunnell	FL	2021-00109234	FL0180000: Flagler County Sheriff's Office
10/16/2021 14:16	SV	2345 BLUEBERRY ST, Bunnell	FL	2021-00092780	FL0180000: Flagler County Sheriff's Office
9/19/2021 16:01	NARCOTICS	2345 BLUEBERRY ST, Bunnell	FL	2021-00083808	FL0180000: Flagler County Sheriff's Office
8/26/2021 10:19	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2021-00076522	FL0180000: Flagler County Sheriff's Office
8/15/2021 5:48	OVERDOSE/POISONING	2345 BLUEBERRY ST, Bunnell	FL	2021-00010852	61091: Flagler County Fire Rescue
7/24/2021 9:42	INFORMATION	2345 BLUEBERRY ST, Bunnell	FL	2021-00066965	FL0180000: Flagler County Sheriff's Office
7/20/2021 9:34	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2021-00065648	FL0180000: Flagler County Sheriff's Office
6/7/2021 16:35	TS	2345 BLUEBERRY ST, Bunnell	FL	2021-00052223	FL0180000: Flagler County Sheriff's Office
4/26/2021 23:31	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2021-00038583	FL0180000: Flagler County Sheriff's Office
4/21/2021 14:59	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2021-00036787	FL0180000: Flagler County Sheriff's Office
4/17/2021 4:03	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2021-00035519	FL0180000: Flagler County Sheriff's Office

Report Time:	06/02/2022 15:19	Login ID:		Jurisdiction:	
Incident Number:		Call Number:		Agencies:	Police, Fire, EMS
From Date:	05/20/2020 04:00	To Date:	06/03/2022 03:59	Phone Number:	
Last Name:		First Name:		Location:	2345 BLUEBERRY ST, Bunnell
Plate #:		Plate State:		Include Canceled:	No
Type:		Priority:		Source:	
Disposition:		Unit:		Officer:	
Narrative:					
Create Date/Time	Call Type	Location	State	Primary Incident	Primary Incident ORI
4/13/2021 10:06	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2021-00034272	FL0180000: Flagler County Sheriff's Office
3/21/2021 2:47	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2021-00026239	FL0180000: Flagler County Sheriff's Office
3/18/2021 4:13	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2021-00025389	FL0180000: Flagler County Sheriff's Office
3/17/2021 3:07	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2021-00025007	FL0180000: Flagler County Sheriff's Office
3/4/2021 7:05	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2021-00020384	FL0180000: Flagler County Sheriff's Office
2/26/2021 13:09	INFORMATION	2345 BLUEBERRY ST, Bunnell	FL	2021-00018249	FL0180000: Flagler County Sheriff's Office
2/1/2021 9:59	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2021-00010101	FL0180000: Flagler County Sheriff's Office
12/12/2020 20:16	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	2020-00115090	FL0180000: Flagler County Sheriff's Office
10/12/2020 20:11	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	2020-00095610	FL0180000: Flagler County Sheriff's Office
8/12/2020 4:51	DISTURBANCE VERBAL	2345 BLUEBERRY ST, Bunnell	FL	2020-00074729	FL0180000: Flagler County Sheriff's Office
6/25/2020 17:09	APC	2345 BLUEBERRY ST, Bunnell	FL	2020-00059822	FL0180000: Flagler County Sheriff's Office
5/30/2020 21:24	SUSPICIOUS INCIDENT	2345 BLUEBERRY ST, Bunnell	FL	2020-00051306	FL0180000: Flagler County Sheriff's Office

1130
x5

IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT, IN AND
FOR FLAGLER COUNTY, FLORIDA

CASE NUMBER:
DIVISION NUMBER:

RICK STALY, in his official
capacity as Sheriff of Flagler County,
Florida

vs.

JOHN DRIGGERS
CODY DRIGGERS
CHEYENNE DONALDSON
JAMES DONALDSON
HALEY SCOTT

FIRST NOTICE TO ABATE NUISANCE

COMES NOW, RICK STALY, in his official capacity as Sheriff of Flagler County,
Florida, by and through the undersigned attorney, pursuant to section 60.05(3)(8)1 of the Florida
Statutes (2021) does hereby serve notice to abate nuisance upon John (Shannon) Driggers and
purported tenants Cody Driggers, James Donaldson, Cheyenne Donaldson, and Haley Scott and
states as follows:

1. This serves as the first legal written notice to John (Shannon) Driggers, Cody Driggers,
Cheyenne Donaldson, James Donaldson, and Haley Scott the property located at 2345
Blueberry Street, Bunnell, Florida 32110, constitutes a nuisance pursuant to sections §§
823.01, 823.05(1) and 823.10 Florida Statutes (2021).
2. The Statute makes clear any activity which tends to “annoy the community” constitutes a
nuisance. Specifically, § 823.05 provides:

A person who erects, establishes, continues, maintains, owns, or leases any of the following is deemed to be maintaining a nuisance, and the building, erection, place, tent, or booth, and the furniture, fixtures, and contents of such structure, are declared a nuisance, and all such places or persons shall be abated or enjoined as provided in ss. 60.05 and 60.06:

- a. A building, booth, tent, or place that tends to annoy the community or injure the health of the community, or becomes manifestly injurious to the morals or manners of the people as provided in s. 823.01.
- b. A house or place of prostitution, assignation, or lewdness.
- c. A place or building in which persons engage in games of chance in violation of law.
- d. A place where any law of the state is violated.

3. Additionally, § 823.10 provides the following:

Any store, shop, warehouse, dwelling house, building, structure, vehicle, ship, boat, vessel, or aircraft, or any place whatever, which is visited by persons for the purpose of unlawfully using any substance controlled under chapter 893 or any drugs as described in chapter 499, or which is used for the illegal keeping, selling, or delivering of the same, shall be deemed a public nuisance. No person shall keep or maintain such public nuisance or aid and abet another in keeping or maintaining such public nuisance. Any person who willfully keeps or maintains a public nuisance or willfully aids or abets another in keeping or maintaining a public nuisance, and such public nuisance is a warehouse, structure, or building, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. Between May 20, 2020 and April 12, 2022, parties at the property located at 2345 Blueberry Lane have engaged in conduct which caused the Flagler County Sheriff's to respond 38-times. Exhibit A.
5. During his time owning and/or maintaining the property in question, John (Shannon) Driggers has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:

- a. Sale of drugs from the residence;
 - b. Facilitating the sales of narcotics;
 - c. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
 - d. Use of the residence for possession of drugs as evidenced by his arrest and conviction in Flagler County Circuit Court case(s) 2019 CF 000448;
 - e. Commission of other criminal actions within the boundaries of the residence to include domestic violence and;
 - f. Possession of weapons by a convicted felon.
6. During his time renting and/or maintaining the property in question, Cody Driggers has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:
- a. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
 - b. Commission of multiple criminal acts centered from and while residing at the referenced address.
7. During his time renting and/or maintaining the property in question, James Donaldson has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:
- a. Sale of drugs from the residence;
 - a. Facilitating the sales of narcotics;
 - b. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
 - c. Use of the residence for possession of drugs as evidenced by his arrest on April 12, 2022, for possession of methamphetamines and drug paraphernalia.

8. During her time renting and/or maintaining the property in question, Cheyenne Donaldson has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:

- a. Sale of drugs from the residence;
- b. Facilitating the sales of narcotics;
- c. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
- d. Use of the residence for possession as evidenced by her arrest and on April 13, 2022, for possession of heroin, fentanyl, and methamphetamines.

9. During her time renting and/or maintaining the property in question, Haley Scott has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:

- a. Sale of drugs from the residence;
- b. Facilitating the sales of narcotics;
- d. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
- e. Use of the residence for possession as evidenced by her arrest and on April 12, 2022, for possession of methamphetamines.

10. These violations continue with no sign of abating. The only way to ensure with certainty that these activities cease and to abate the nuisance is for John (Shannon) Driggers, Cody Driggers, Cheyenne Donaldson, James Donaldson and Haley Scott to no longer reside at the property in question. Further, John Driggers should be required to ensure future resident(s) do not engage in similar conduct.

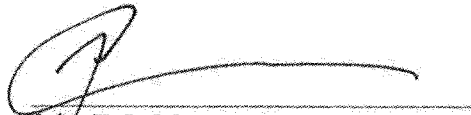
2025 RELEASE UNDER E.O. 14176

11. If the Defendants do not abate the nuisance in this necessary way, then Sheriff may seek a temporary injunction from the Circuit Court of Flagler County. Costs will be assessed against the Defendants if abatement of the nuisance is not completed before then and if the Court determines the nuisance exists.

12. In the event the Defendants do not abate the nuisance as specified within ten (10) days, the Sheriff will file a second notice to abate the nuisance as required section 60.05(3), Florida Statutes (2021). If the Defendants do not abate the nuisance within fifteen (15) days of service of that second notice, then Sheriff will proceed with seeking the temporary injunction with the Court.

I HEREBY CERTIFY a true and correct copy of the foregoing has been personally served upon to John (Shannon) Driggers, Cody Driggers, Cheyenne Donaldson, James Donaldson, and Haley Scott on the date as reflected by the Returns of Service for each Defendant

Dated this 11th day of April, 2022.



John T. LeMaster
Fla. Bar No. 851981
FLAGLER COUNTY SHERIFF'S OFFICE
P.O. Box 879
Bunnell, FL 32117
Office: 386-586-4829
primary: jlemaster@flaglersheriff.com
COUNSEL FOR THE SHERIFF

Cleared Call Search Results

Report Time: 04/13/2022 13:38
Incident Number: _____ **Login ID:** _____
From Date: _____ **Call Number:** _____
Last Name: _____ **To Date:** _____
Plate #: _____ **First Name:** _____
Type: _____ **Plate State:** _____
Disposition: _____ **Priority:** _____
Narrative: _____ **Unit:** _____
Jurisdiction: Police, Fire, EMS
Agencies: _____
Phone Number: 2345 BLUEBERRY ST, Bunnell
Location: _____
Include Canceled: No

Call Number	Create Date/Time	Closed Date/Time	Call Type	Location	State	Primary Unit	Additional Units
573	4/12/2022 18:35	04/12/2022 19:09:39	WEAPONS COMPLAINT	2345 BLUEBERRY ST, Bunnell	FL	D311	True
195	4/12/2022 3:48	04/12/2022 14:37:43	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	S378	True
653	3/14/2022 17:08	03/14/2022 17:20:54	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	J31	True
255	3/12/2022 1:01	03/12/2022 01:31:57	DISTURBANCE VERBAL	2345 BLUEBERRY ST, Bunnell	FL	B312	True
876	2/26/2022 16:56	02/26/2022 17:24:15	WEAPONS COMPLAINT	2345 BLUEBERRY ST, Bunnell	FL	A312	True
502	2/25/2022 22:48	02/25/2022 23:03:15	SUSPICIOUS INCIDENT	2345 BLUEBERRY ST, Bunnell	FL	B311	False
154	2/21/2022 16:39	02/21/2022 16:52:13	SV	2345 BLUEBERRY ST, Bunnell	FL	C312	True
374	2/14/2022 17:51	02/14/2022 18:52:54	911 INVESTIGATION	2345 BLUEBERRY ST, Bunnell	FL	D312	True
130	2/14/2022 9:45	02/14/2022 10:17:04	ASSIST PUBLIC	2345 BLUEBERRY ST, Bunnell	FL	RE551	True
977	1/18/2022 2:46	01/18/2022 03:42:47	ASSIST OTHER AGENCY	2345 BLUEBERRY ST, Bunnell	FL	D314	True
360	12/30/2021 15:24	12/30/2021 16:15:23	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	A313	False
798	12/18/2021 17:29	12/18/2021 17:33:33	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	A312	True
101	12/9/2021 22:39	12/09/2021 23:30:17	OVERDOSE/POISONING	2345 BLUEBERRY ST, Bunnell	FL	C313	True
675	10/16/2021 14:16	10/16/2021 14:30:33	SV	2345 BLUEBERRY ST, Bunnell	FL	K913	True
214	9/19/2021 16:01	09/19/2021 22:22:03	NARCOTICS	2345 BLUEBERRY ST, Bunnell	FL	J34	False
881	8/26/2021 10:19	08/26/2021 10:26:10	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	RE551	True
674	8/15/2021 5:48	08/15/2021 06:20:20	OVERDOSE/POISONING	2345 BLUEBERRY ST, Bunnell	FL	D312	True
525	7/24/2021 9:42	07/24/2021 11:09:21	INFORMATION	2345 BLUEBERRY ST, Bunnell	FL	J31	True
169	7/20/2021 9:34	07/20/2021 09:42:14	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	D312	False
546	6/7/2021 16:35	06/07/2021 16:41:46	TS	2345 BLUEBERRY ST, Bunnell	FL	D312	False
518	4/26/2021 23:31	04/26/2021 23:48:53	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	D313	False
387	4/21/2021 14:59	04/21/2021 15:14:36	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	K911	True
995	4/17/2021 4:03	04/17/2021 04:07:32	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	D312	False
842	4/13/2021 10:06	04/13/2021 10:26:51	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	C313	False
21	3/21/2021 2:47	03/21/2021 02:57:09	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	D312	False
523	3/18/2021 4:13	03/18/2021 04:56:26	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	B312	False
894	3/17/2021 3:07	03/17/2021 03:08:44	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	A312	False
955	3/4/2021 7:05	03/04/2021 07:06:07	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	A313	False
400	2/26/2021 13:09	02/26/2021 13:28:49	INFORMATION	2345 BLUEBERRY ST, Bunnell	FL	D312	False
590	2/1/2021 9:59	02/01/2021 10:18:17	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	D312	False
997	12/12/2020 20:16	12/12/2020 20:20:51	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	C110	False

Cleared Call Search Results

Report Time: 04/13/2022 13:38
Incident Number: _____ **Login ID:** _____
From Date: _____ **Call Number:** _____ **Jurisdiction:** _____
Last Name: _____ **To Date:** _____ **Agencies:** Police, Fire, EMS
Plate #: _____ **First Name:** _____ **Phone Number:** _____
Type: _____ **Plate State:** _____ **Location:** 2345 BLUEBERRY ST, Bunnell
Disposition: _____ **Priority:** _____ **Include Canceled:** No
Narrative: _____ **Unit:** _____ **Source:** _____
Officer: _____

Call Number	Create Date/Time	Closed Date/Time	Call Type	Location	State	Primary Unit	Additional Units
982	10/12/2020 20:11	10/12/2020 22:34:30	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	D312	True
573	8/12/2020 4:51	08/12/2020 05:25:27	DISTURBANCE VERBAL	2345 BLUEBERRY ST, Bunnell	FL	A312	True
81	6/25/2020 17:09	06/25/2020 18:18:19	APC	2345 BLUEBERRY ST, Bunnell	FL	A312	False
275	6/17/2020 10:27	06/17/2020 10:33:58	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	133	True
227	5/30/2020 21:24	05/30/2020 22:26:05	SUSPICIOUS INCIDENT	2345 BLUEBERRY ST, Bunnell	FL	C312	True
179	5/22/2020 16:42	05/22/2020 16:59:43	MISCELLANEOUS COMPLAINT	2345 BLUEBERRY ST, Bunnell	FL	A110	False
174	5/22/2020 16:38	05/22/2020 16:45:56	SV	2345 BLUEBERRY ST, Bunnell	FL	A312	False
103	5/20/2020 20:20	05/20/2020 21:57:27	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	D312	True



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No.:
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson;
James Donaldson; Haley Scott

Plaintiff/Attorney:
John LeMasters, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: JOHN DRIGGERS

I Kevin Gomez, Deputy, state that I served this process as Follows:

Type of Process: **First Notice to Abate Nuisance**

Received this process/pleading on **April 22, 2022**, at **9:38 AM**.

Service Date: **4/22/2022** Service Time: **11:15 AM**

Manner of Service: **Personal**

Person Served: **JOHN DRIGGERS**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No.:
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson;
James Donaldson; Haley Scott

Plaintiff/Attorney:
John LeMasters, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: CODY DRIGGERS

I Kevin Gomez, Deputy, state that I served this process as Follows:

Type of Process: **First Notice to Abate Nuisance**

Received this process/pleading on **April 22, 2022**, at **9:38 AM**.

Service Date: **4/22/2022** Service Time: **11:15 AM**

Manner of Service: **Personal**

Person Served: **CODY DRIGGERS**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No.:
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson; James Donaldson; Haley Scott

Plaintiff/Attorney:
John LeMasters, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: CHEYENNE DONALDSON

I Kevin Gomez, Deputy, state that I served this process as Follows:

Type of Process: **First Notice to Abate Nuisance**

Received this process/pleading on **April 22, 2022**, at **9:38 AM**.

Service Date: **4/22/2022** Service Time: **11:35 AM**

Manner of Service: **Personal**

Person Served: **CHEYENNE DONALDSON**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE
"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No.:
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson; James Donaldson; Haley Scott

Plaintiff/Attorney:

John LeMasters, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: JAMES DONALDSON

I Kevin Gomez, Deputy, state that I served this process as Follows:

Type of Process: **First Notice to Abate Nuisance**

Received this process/pleading on **April 22, 2022**, at **9:38 AM**.

Service Date: **4/22/2022** Service Time: **2:20 PM**

Manner of Service: **Personal**

Person Served: **JAMES DONALDSON**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No.:
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson; James Donaldson; Haley Scott

Plaintiff/Attorney:
John LeMasters, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: HALEY SCOTT

I Kevin Gomez, Deputy, state that I served this process as Follows:

Type of Process: **First Notice to Abate Nuisance**

Received this process/pleading **on April 22, 2022, at 9:38 AM.**

Service Date: **4/22/2022** Service Time: **11:15 AM**

Manner of Service: **Personal**

Person Served: **HALEY SCOTT**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)

IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT, IN AND
FOR FLAGLER COUNTY, FLORIDA

CASE NUMBER:
DIVISION NUMBER:

RICK STALY, in his official
capacity as Sheriff of Flagler County,
Florida

vs.

JOHN DRIGGERS
CODY DRIGGERS
CHEYENNE DONALDSON
JAMES DONALDSON
HALEY SCOTT

_____ /

SECOND NOTICE TO ABATE NUISANCE

COMES NOW, RICK STALY, in his official capacity as Sheriff of Flagler County, Florida, by and through the undersigned attorney, pursuant to § 60.05(3)(8)1 of the Florida Statutes (2021) does hereby serve this second notice to abate nuisance upon John (Shannon) Driggers and purported tenants Cody Driggers, James Donaldson, Cheyenne Donaldson, and Haley Scott and states as follows:

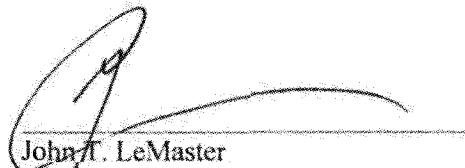
1. This serves as the second legal written notice to John (Shannon) Driggers, Cody Driggers, Cheyenne Donaldson, James Donaldson, and Haley Scott the property located at 2345 Blueberry Street, Bunnell, Florida 32110, constitutes a nuisance pursuant to §§ 823.01, 823.05(1) and 823.10 Florida Statutes (2021).
2. The first Notice to Abate the Nuisance was served more than ten (10) days ago. A copy of the first Notice to Abate and proof of individual service is attached hereto as to each

party/Defendant.

3. The nuisances described in the first Notice to Abate Nuisance have not been remedied. Further, the property in questions remains a nuisance in appearance and activity.
4. These violations continue with no sign of abating. The only way to ensure with certainty that these activities cease and to abate the nuisance is for John (Shannon) Driggers, Cody Driggers, Cheyenne Donaldson, James Donaldson and Haley Scott to no longer reside at the property in question. Further, John Driggers should be required to ensure future resident(s) do not engage in similar conduct.
5. In the event the Defendants do not abate the nuisance as specified within **fifteen (15) days**, the Sheriff will proceed in seeking a temporary injunction from the Circuit Court of Flagler County. All remedies included but not limited to applicable cost and fees will be sought against the Defendants.

I HEREBY CERTIFY a true and correct copy of the foregoing has been personally served upon to John (Shannon) Driggers, Cody Driggers, Cheyenne Donaldson, James Donaldson, and Haley Scott on the date as reflected by the Returns of Service for each Defendant

Dated this 5th day of May, 2022.



John T. LeMaster
Fla. Bar No. 851981
FLAGLER COUNTY SHERIFF'S OFFICE
P.O. Box 879
Bunnell, FL 32117
Office: 386-586-4829
primary: jlemaster@flaglersheriff.com
COUNSEL FOR THE SHERIFF

1130
x5

IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT, IN AND
FOR FLAGLER COUNTY, FLORIDA

CASE NUMBER:
DIVISION NUMBER:

RICK STALY, in his official
capacity as Sheriff of Flagler County,
Florida

vs.

JOHN DRIGGERS
CODY DRIGGERS
CHEYENNE DONALDSON
JAMES DONALDSON
HALEY SCOTT

FIRST NOTICE TO ABATE NUISANCE

COMES NOW, RICK STALY, in his official capacity as Sheriff of Flagler County,
Florida, by and through the undersigned attorney, pursuant to section 60.05(3)(8)1 of the Florida
Statutes (2021) does hereby serve notice to abate nuisance upon John (Shannon) Driggers and
purported tenants Cody Driggers, James Donaldson, Cheyenne Donaldson, and Haley Scott and
states as follows:

1. This serves as the first legal written notice to John (Shannon) Driggers, Cody Driggers,
Cheyenne Donaldson, James Donaldson, and Haley Scott the property located at 2345
Blueberry Street, Bunnell, Florida 32110, constitutes a nuisance pursuant to sections §§
823.01, 823.05(1) and 823.10 Florida Statutes (2021).
2. The Statute makes clear any activity which tends to "annoy the community" constitutes a
nuisance. Specifically, § 823.05 provides:

A person who erects, establishes, continues, maintains, owns, or leases any of the following is deemed to be maintaining a nuisance, and the building, erection, place, tent, or booth, and the furniture, fixtures, and contents of such structure, are declared a nuisance, and all such places or persons shall be abated or enjoined as provided in ss. 60.05 and 60.06:

- a. A building, booth, tent, or place that tends to annoy the community or injure the health of the community, or becomes manifestly injurious to the morals or manners of the people as provided in s. 823.01.
- b. A house or place of prostitution, assignation, or lewdness.
- c. A place or building in which persons engage in games of chance in violation of law.
- d. A place where any law of the state is violated.

3. Additionally, § 823.10 provides the following:

Any store, shop, warehouse, dwelling house, building, structure, vehicle, ship, boat, vessel, or aircraft, or any place whatever, which is visited by persons for the purpose of unlawfully using any substance controlled under chapter 893 or any drugs as described in chapter 499, or which is used for the illegal keeping, selling, or delivering of the same, shall be deemed a public nuisance. No person shall keep or maintain such public nuisance or aid and abet another in keeping or maintaining such public nuisance. Any person who willfully keeps or maintains a public nuisance or willfully aids or abets another in keeping or maintaining a public nuisance, and such public nuisance is a warehouse, structure, or building, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. Between May 20, 2020 and April 12, 2022, parties at the property located at 2345 Blueberry Lane have engaged in conduct which caused the Flagler County Sheriff's to respond 38-times. Exhibit A.
5. During his time owning and/or maintaining the property in question, John (Shannon) Driggers has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:

- a. Sale of drugs from the residence;
 - b. Facilitating the sales of narcotics;
 - c. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
 - d. Use of the residence for possession of drugs as evidenced by his arrest and conviction in Flagler County Circuit Court case(s) 2019 CF 000448;
 - e. Commission of other criminal actions within the boundaries of the residence to include domestic violence and;
 - f. Possession of weapons by a convicted felon.
6. During his time renting and/or maintaining the property in question, Cody Driggers has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:
 - a. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
 - b. Commission of multiple criminal acts centered from and while residing at the referenced address.
7. During his time renting and/or maintaining the property in question, James Donaldson has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:
 - a. Sale of drugs from the residence;
 - a. Facilitating the sales of narcotics;
 - b. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
 - c. Use of the residence for possession of drugs as evidenced by his arrest on April 12, 2022, for possession of methamphetamines and drug paraphernalia.

8. During her time renting and/or maintaining the property in question, Cheyenne Donaldson has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:

- a. Sale of drugs from the residence;
- b. Facilitating the sales of narcotics;
- c. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
- d. Use of the residence for possession as evidenced by her arrest and on April 13, 2022, for possession of heroin, fentanyl, and methamphetamines.

9. During her time renting and/or maintaining the property in question, Haley Scott has repeatedly engaged in and/or allowed the following activities at that property which would tend to annoy (and actually have annoyed) the community, activities which injure the health of the citizens in general. Activities which corrupt the public morals and activities which violate the laws of the State of Florida to wit:

- a. Sale of drugs from the residence;
- b. Facilitating the sales of narcotics;
- d. Maintenance of a drug house, where individuals congregate and abuse illegal narcotics;
- e. Use of the residence for possession as evidenced by her arrest and on April 12, 2022, for possession of methamphetamines.

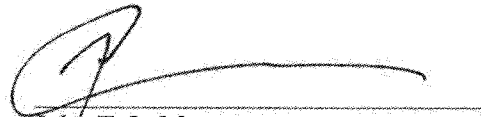
10. These violations continue with no sign of abating. The only way to ensure with certainty that these activities cease and to abate the nuisance is for John (Shannon) Driggers, Cody Driggers, Cheyenne Donaldson, James Donaldson and Haley Scott to no longer reside at the property in question. Further, John Driggers should be required to ensure future resident(s) do not engage in similar conduct.

11. If the Defendants do not abate the nuisance in this necessary way, then Sheriff may seek a temporary injunction from the Circuit Court of Flagler County. Costs will be assessed against the Defendants if abatement of the nuisance is not completed before then and if the Court determines the nuisance exists.

12. In the event the Defendants do not abate the nuisance as specified within ten (10) days, the Sheriff will file a second notice to abate the nuisance as required section 60.05(3), Florida Statutes (2021). If the Defendants do not abate the nuisance within fifteen (15) days of service of that second notice, then Sheriff will proceed with seeking the temporary injunction with the Court.

I HEREBY CERTIFY a true and correct copy of the foregoing has been personally served upon to John (Shannon) Driggers, Cody Driggers, Cheyenne Donaldson, James Donaldson, and Haley Scott on the date as reflected by the Returns of Service for each Defendant

Dated this 21th day of April, 2022.



John T. LeMaster
Fla. Bar No. 851981
FLAGLER COUNTY SHERIFF'S OFFICE
P.O. Box 879
Bunnell, FL 32117
Office: 386-586-4829
primary: jlemaster@flaglersheriff.com
COUNSEL FOR THE SHERIFF

Cleared Call Search Results

Report Time: 04/13/2022 13:38
Incident Number: **Login ID:**
From Date: **Call Number:** **Agencies:** Police, Fire, EMS
Last Name: **To Date:** **Phone Number:** 2345 BLUEBERRY ST, Bunnell
Plate #: **First Name:** **Location:**
Type: **Plate State:** **Include Canceled:** No
Disposition: **Priority:** **Source:**
Narrative: **Unit:** **Officer:**

Call Number	Create Date/Time	Closed Date/Time	Call Type	Location	State	Primary Unit	Additional Units
573	4/12/2022 18:35	04/12/2022 19:09:39	WEAPONS COMPLAINT	2345 BLUEBERRY ST, Bunnell	FL	D311	True
195	4/12/2022 3:48	04/12/2022 14:37:43	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	S378	True
653	3/14/2022 17:08	03/14/2022 17:20:54	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	J31	True
255	3/12/2022 1:01	03/12/2022 01:31:57	DISTURBANCE VERBAL	2345 BLUEBERRY ST, Bunnell	FL	B312	True
876	2/26/2022 16:56	02/26/2022 17:24:15	WEAPONS COMPLAINT	2345 BLUEBERRY ST, Bunnell	FL	A312	True
502	2/25/2022 22:48	02/25/2022 23:03:15	SUSPICIOUS INCIDENT	2345 BLUEBERRY ST, Bunnell	FL	B311	True
154	2/21/2022 16:39	02/21/2022 16:52:13	SV	2345 BLUEBERRY ST, Bunnell	FL	B312	False
374	2/14/2022 17:51	02/14/2022 18:52:54	911 INVESTIGATION	2345 BLUEBERRY ST, Bunnell	FL	C312	True
130	2/14/2022 9:45	02/14/2022 10:17:04	ASSIST PUBLIC	2345 BLUEBERRY ST, Bunnell	FL	D312	True
977	1/18/2022 2:46	01/18/2022 03:42:47	ASSIST OTHER AGENCY	2345 BLUEBERRY ST, Bunnell	FL	RESS1	True
360	12/30/2021 15:24	12/30/2021 16:15:23	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	D314	True
798	12/18/2021 17:29	12/18/2021 17:33:33	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	A313	False
101	12/9/2021 22:39	12/09/2021 23:30:17	OVERDOSE/POISONING	2345 BLUEBERRY ST, Bunnell	FL	A312	True
675	10/16/2021 14:16	10/16/2021 14:30:33	SV	2345 BLUEBERRY ST, Bunnell	FL	C313	True
214	9/19/2021 16:01	09/19/2021 22:22:03	NARCOTICS	2345 BLUEBERRY ST, Bunnell	FL	K913	True
881	8/26/2021 10:19	08/26/2021 10:26:10	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	J34	False
674	8/15/2021 5:48	08/15/2021 06:20:20	OVERDOSE/POISONING	2345 BLUEBERRY ST, Bunnell	FL	RESS1	True
525	7/24/2021 9:42	07/24/2021 11:09:21	INFORMATION	2345 BLUEBERRY ST, Bunnell	FL	D312	True
169	7/20/2021 9:34	07/20/2021 09:42:14	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	J31	True
546	6/7/2021 16:35	06/07/2021 16:41:46	TS	2345 BLUEBERRY ST, Bunnell	FL	D312	False
518	4/26/2021 23:31	04/26/2021 23:48:53	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	D313	False
387	4/21/2021 14:59	04/21/2021 15:14:36	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	K911	True
995	4/17/2021 4:03	04/17/2021 04:07:32	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	D312	False
842	4/13/2021 10:06	04/13/2021 10:26:51	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	C313	False
21	3/21/2021 2:47	03/21/2021 02:57:09	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	D312	False
523	3/18/2021 4:13	03/18/2021 04:56:26	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	B312	False
894	3/17/2021 3:07	03/17/2021 03:08:44	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	D312	False
955	3/4/2021 7:05	03/04/2021 07:06:07	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	A312	False
400	2/26/2021 13:09	02/26/2021 13:28:49	INFORMATION	2345 BLUEBERRY ST, Bunnell	FL	A313	False
590	2/1/2021 9:59	02/01/2021 10:18:17	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	D312	False
997	12/12/2020 20:16	12/12/2020 20:20:51	SECURITY CHECK	2345 BLUEBERRY ST, Bunnell	FL	C110	False

Cleared Call Search Results

Report Time: 04/13/2022 13:38
Incident Number: [Blank]
From Date: [Blank]
Last Name: [Blank]
Plate #: [Blank]
Type: [Blank]
Disposition: [Blank]

Login ID: [Blank]
Call Number: [Blank]
To Date: [Blank]
First Name: [Blank]
Plate State: [Blank]
Priority: [Blank]
Unit: [Blank]

Jurisdiction: Police, Fire, EMS
Agencies: [Blank]
Phone Number: [Blank]
Location: 2345 BLUEBERRY ST, Bunnell
Include Canceled: No
Source: [Blank]
Officer: [Blank]

Call Number	Create Date/Time	Closed Date/Time	Call Type	Location	State	Primary Unit	Additional Units
982	10/12/2020 20:11	10/12/2020 22:34:30	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	D312	True
573	8/12/2020 4:51	08/12/2020 05:25:27	DISTURBANCE VERBAL	2345 BLUEBERRY ST, Bunnell	FL	A312	True
81	6/25/2020 17:09	06/25/2020 18:18:19	APC	2345 BLUEBERRY ST, Bunnell	FL	A312	False
275	6/17/2020 10:27	06/17/2020 10:33:58	CIVIL SERVICE	2345 BLUEBERRY ST, Bunnell	FL	333	True
227	5/30/2020 21:24	05/30/2020 22:26:05	SUSPICIOUS INCIDENT	2345 BLUEBERRY ST, Bunnell	FL	C312	True
179	5/22/2020 16:42	05/22/2020 16:59:43	MISCELLANEOUS COMPLAINT	2345 BLUEBERRY ST, Bunnell	FL	A110	False
174	5/22/2020 16:38	05/22/2020 16:45:56	SV	2345 BLUEBERRY ST, Bunnell	FL	A312	False
103	5/20/2020 20:20	05/20/2020 21:57:27	WARRANT SERVICE	2345 BLUEBERRY ST, Bunnell	FL	D312	True



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No. :
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson;
James Donaldson; Haley Scott

Plaintiff/Attorney:
John LeMaster, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: JAMES DONALDSON

I Kevin Gomez, Deputy, state that I served this process as Follows:

Type of Process: **Second Notice to Abate Nuisance**

Received this process/pleading on **May 5, 2022**, at **8:42 AM**.

Service Date: **5/5/2022** Service Time: **1:15 PM**

Manner of Service: **Personal**

Person Served: **JAMES DONALDSON**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No.:
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson; James Donaldson; Haley Scott

Plaintiff/Attorney:
John LeMaster, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: CHEYENNE DONALDSON

I Kevin Gomez, Deputy, state that I served this process as Follows:

Type of Process: **Second Notice to Abate Nuisance**

Received this process/pleading on **May 5, 2022**, at **8:42 AM**.

Service Date: **5/5/2022** Service Time: **3:10 PM**

Manner of Service: **Personal**

Person Served: **CHEYENNE DONALDSON**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE
"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No. :
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson; James Donaldson; Haley Scott

Plaintiff/Attorney:
John LeMaster, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: JOHN DRIGGERS

I Kevin Gomez, Deputy, state that I served this process as follows:

Type of Process: **Second Notice to Abate Nuisance**

Received this process/pleading on **May 5, 2022**, at **8:42 AM**.

Service Date: **5/5/2022** Service Time: **4:05 PM**

Manner of Service: **Personal**

Person Served: **JOHN DRIGGERS**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No. :
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson; James Donaldson; Haley Scott

Plaintiff/Attorney:
John LeMaster, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: CODY DRIGGERS

I Kevin Gomez, Deputy, state that I served this process as Follows:

Type of Process: **Second Notice to Abate Nuisance**

Received this process/pleading on **May 5, 2022**, at **8:42 AM**.

Service Date: **5/9/2022** Service Time: **9:30 AM**

Manner of Service: **Personal**

Person Served: **CODY DRIGGERS**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No.:
Sheriff No.: 22001130
Case No.:
County:

Plaintiff: Rick Staly, Sheriff of Flagler County

Defendant: John Driggers; Cody Driggers; Cheyenne Donaldson; James Donaldson; Haley Scott

Plaintiff/Attorney:
John LeMaster, Attorney FCSO
1769 EAST MOODY BLVD BLDG 1
BUNNELL, FL 32110

Person to Serve: HALEY SCOTT

I Kevin Gomez, Deputy, state that I served this process as Follows:

Type of Process: **Second Notice to Abate Nuisance**

Received this process/pleading on **May 5, 2022**, at **8:42 AM**.

Service Date: **5/6/2022** Service Time: **3:15 PM**

Manner of Service: **Personal**

Person Served: **HALEY SCOTT**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Deputy Kevin Gomez 572
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)

AFFIDAVIT OF TONI LEMON

STATE OF FLORIDA

COUNTY OF FLAGLER

BEFORE ME, the undersigned officer, duly authorized to take acknowledgments and administer oaths, personally appeared Toni Lemon, who after being first duly sworn, states:

1. That I am over the age of 18 and have personal knowledge of the following;
2. I have resided at 2320 Blueberry Street for some 20 years;
3. I am familiar with the property located at 2345 Blueberry Street, Bunnell, Florida;
4. I am familiar with John Driggers of 2345 Blueberry Street. I have known him for 16 years, I confirmed my belief by reviewing a booking photo of him. I believe him to be the owner of the property;
5. I am familiar with Cody Driggers since he was 10 years old, confirming my belief by reviewing a public booking photo of him, I believe he resides at 2345 Blueberry Street;
6. I am familiar with James Donaldson roughly 16 years confirming my belief by reviewing a public booking photo of him, I believe he resides at 2345 Blueberry Street;
7. I am familiar with Cheyenne Donaldson roughly 16 years confirming my belief by reviewing a public booking photo of her, I believe she resides at 2345 Blueberry Street;
8. I am familiar with Haley Scott confirming my belief by reviewing a public booking photo of him, I believe she resides at 2345 Blueberry Street;
9. My family and I have dealt with the individuals located at 2345 Blueberry Street for

Case 1:19-cv-00001-UNA Document 1-1 Filed 01/21/20 Page 2 of 9

- approximately 20 years;
10. The property was and continues to be a nuisance to the community including serving as a haven for criminal activity;
 11. Over the years police and emergency services have had to respond to 2345 Blueberry Street many times;
 12. The five individuals who I have identified are not the only individuals who stay or sleep at this residence;
 13. I have witnessed drug use and the results the results of individuals who have are under the influence;
 14. I have witnessed drug sale transactions;
 15. I have witnessed these individuals have sex in public within their driveway;
 16. I have witnessed these individuals go through my mailbox, in particular Cody Driggers;
 17. I believe these people and/or people associated with them broke into my home and stole five guns;
 18. These individuals routinely discharge firearms on this property;
 19. We routinely smell odors which are consistent with the cooking of methamphetamines, this primarily occurs on a Friday afternoon;
 20. Our vehicles have been vandalized by flattening the tires and ripped the quarter panel;
 21. Residences and visitors at 2345 Blueberry Street routinely block my driveway which does not allow me to enter or exit my property;
 22. Individuals at this residence routinely have loud parties which run in to the early morning;

- 23. In 2018, a visitor to the residence threatened to burn my down house down while I was taking out the trash;
- 24. The property at 2345 Blueberry Street is an eyesore and is kept in disrepair which contains inoperable vehicles, old trailers littered on the property;
- 25. I believe the manner in which 2345 Blueberry Street is kept has a direct impact on the value of my property;
- 26. I believe the criminal activities associated with 2345 Blueberry Street has a direct impact on the value of my property;
- 27. Both the manner in which the property is kept and the criminal activity which has occurred on or within 2345 Blueberry Street directly impacts on my ability to enjoy the use of my property

Under penalty of perjury, I declare that I have read the foregoing and that the facts alleged are true to the best of my knowledge and belief.

FURTHER AFFIANT SAITH NOT.

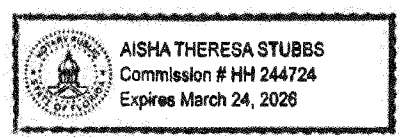
Toni Lemon
Toni Lemon

Sworn to (or affirmed) and subscribed before me this 25th day of May, 2022,
by Toni Marie Lemon who is personally known to me or who has produced
Drivers License, as identification and who did (did not) take an oath.

Aisha Stubbs
Signature of Notary Public

Aisha Stubbs
Name of Notary Public

(SEAL)



AFFIDAVIT OF MARCUS LEMON

STATE OF FLORIDA

COUNTY OF FLAGLER

BEFORE ME, the undersigned officer, duly authorized to take acknowledgments and administer oaths, personally appeared Marcus Lemon, who after being first duly sworn, states:

1. That I am over the age of 18 and have personal knowledge of the following;
2. I have resided at 2320 Blueberry Street since 1988;
3. I am familiar with the property located at 2345 Blueberry Street, Bunnell, Florida;
4. I am familiar with John Driggers of 2345 Blueberry Street. I have known for at least 16 years, I confirmed my belief by reviewing a booking photo of him. I believe him to be the owner of the property;
5. I am familiar with Cody Driggers since he was 10 years old, confirming my belief by reviewing a public booking photo of him, I believe he resides at 2345 Blueberry Street;
6. I am familiar with James Donaldson, I have known their family for more than 25 years. I confirmed my belief by reviewing a public booking photo of him, I believe he resides at 2345 Blueberry Street;
7. I am familiar with Cheyenne Donaldson I have known their family for more than 25 years. I confirmed my belief by reviewing a public booking photo of her, I believe she resides at 2345 Blueberry Street;
8. I am familiar with Haley Scott confirming my belief by reviewing a public booking photo of her, I believe she resides at 2345 Blueberry Street;

Printed on 10/10/2019 10:10:10 AM by [redacted] at [redacted]

9. I have dealt with the individuals located at 2345 Blueberry Street for approximately 20 years;
10. The property was and continues to be a nuisance to the community including serving as a haven for criminal activity;
11. Over the years police and emergency services have had to respond to 2345 Blueberry Street many times;
12. The five individuals who I have identified are not the only individuals who stay or sleep at this residence;
13. I have witnessed drug use and the results of individuals who have are under the influence;
14. I have witnessed drug sale transactions;
15. I have witnessed these individuals have sex in public within their driveway;
16. I believe these people and/or people associated with them broke into my home and stole five guns and skill saw;
17. These individuals routinely discharge firearms on this property;
18. I routinely smell odors which are consistent with the cooking of methamphetamines, this primarily occurs on a Friday afternoon;
19. My vehicle has been vandalized by flattening the tires and ripped the quarter panel;
20. Residences and visitors at 2345 Blueberry Street routinely block my driveway which does not allow me to enter or exit my property;
21. Individuals at this residence routinely have loud parties which run in to the early when I am going to work;

- 22. The property at 2345 Blueberry Street is an eyesore and is kept in disrepair which contains inoperable vehicles, old trailers littered on the property;
- 23. I believe the manner in which 2345 Blueberry Street is kept has a direct impact on the value of my property;
- 24. I believe the criminal activities associated with 2345 Blueberry Street has a direct impact on the value of my property;
- 25. Both the manner in which the property is kept and the criminal activity which has occurred on or within 2345 Blueberry Street directly impacts on my ability to enjoy my property.

Under penalty of perjury, I declare that I have read the foregoing and that the facts alleged are true to the best of my knowledge and belief.

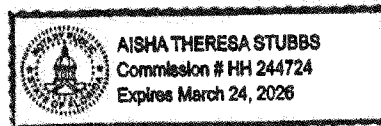
FURTHER AFFIANT SAITH NOT.

Marcus Lemon
 Marcus Lemon

Sworn to (or affirmed) and subscribed before me this 23rd day of May, 2022,
 by Marcus Paul Lemon, who is personally known to me or who has produced
Driver's license, as identification and who did (did not) take an oath.

Aisha Stubbs
 Signature of Notary Public
Aisha Stubbs
 Name of Notary Public
 (typed, printed or stamped)

(SEAL)



AFFIDAVIT OF KIRK VANSCHAICK

STATE OF FLORIDA

COUNTY OF FLAGLER

BEFORE ME, the undersigned officer, duly authorized to take acknowledgments and administer oaths, personally appeared Kirk Vanschaick, who after being first duly sworn, states:

1. That I am over the age of 18 and have personal knowledge of the following;
2. I own the property located at 2258 Blueberry Street;
3. I am familiar with the property located at 2345 Blueberry Street, Bunnell, Florida;
4. I am familiar with John Driggers of 2345 Blueberry Street. I confirmed my belief by reviewing a booking photo of him. I believe him to be the owner of the property;
5. I am familiar with Cody Driggers I confirmed my belief by reviewing a public booking photo of him, I believe he resides at 2345 Blueberry Street;
6. I am familiar with James Donaldson. I confirmed my belief by reviewing a public booking photo of him, I believe he resides at 2345 Blueberry Street;
7. I am familiar with Cheyenne Donaldson. I confirmed my belief by reviewing a public booking photo of her, I believe she resides at 2345 Blueberry Street;
8. The property was and continues to be a nuisance to the community including serving as a haven for criminal activity;
9. Police and emergency services have responded to 2345 Blueberry Street several times;
10. The five individuals who I have identified are not the only individuals who stay or sleep at this residence. I see different faces and cars at 2345 Blueberry St at all the times of

the day and evening;

11. I have witnessed the results the results of individuals who have are under the influence;
12. I believe these people and/or people associated with them tried to break into my home;
13. One of the individuals from this property Chance Metters broke into my garage and stole over \$2,000 worth of tools and other property (Case # 21-00023087);
14. I have routinely heard firearms being discharged on this property;
15. I routinely smell odors which consistent with the burning insulation of wire, I believe them to be cooking methamphetamines;
16. Individuals at this residence routinely have loud parties which run through the evening and into the early morning. The music and noise from the party prevents me from sleeping;
17. The property at 2345 Blueberry Street is an eyesore and is kept in disrepair which contains inoperable vehicles, old trailers littered on the property;
18. I believe the manner in which 2345 Blueberry Street is kept has a direct impact on the value of my property;
19. I believe the criminal activities associated with 2345 Blueberry Street has a direct impact on the value of my property;
20. Both the manner in which the property is kept and the criminal activity which has occurred on or within 2345 Blueberry Street directly impacts my ability to enjoy my property.

Under penalty of perjury, I declare that I have read the foregoing and that the facts alleged are true to the best of my knowledge and belief.

FURTHER AFFIANT SAITH NOT.

Kirk Vanschaick
Kirk Vanschaick

Sworn to (or affirmed) and subscribed before me this 27th day of May, 2022,

by Kirk Vanschaick who is personally known to me or who has produced
Driver's license, as identification and who did (did not) take an oath.

Aisha Stubbs
Signature of Notary Public

Aisha Stubbs
Name of Notary Public
(typed, printed or stamped)

(SEAL)

