

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

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CLERK, US DISTRICT COURT
MIDDLE DISTRICT OF FL
OCALA FLORIDA

NEIL J. GILLESPIE,

CASE NO.: 5:10-cv-503-Oc-10TBS

Plaintiff,

vs.

THIRTEENTH JUDICAL CIRCUIT,
FLORIDA, et al.

Defendants.

NOTICE OF OBJECTION

Plaintiff Gillespie gives Notice of Objection to *Notice of Assignment of Claims And Motion for Dismissal of Action With Prejudice* (Doc. 32) and states:

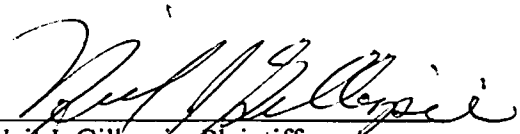
1. Gillespie moved to strike (Doc. 33) *Notice of Assignment of Claims And Motion for Dismissal of Action With Prejudice* (Doc. 32), which the Court denied (Doc. 51), holding that because the Notice and Settlement Agreement are not pleadings they are not subject to a motion to strike. (Doc. 51, p2, ¶3). The Court cited, among others, Morgan v. Sears, Roebuck & Co., 700 F.Supp. 1574, 1576 (N.D. Ga. 1988)(noting that the proper method of challenging evidence is by filing a notice of objection). (Doc. 51, p3, ¶1).
2. Gillespie moved to enlarge time to file a Notice of Objection. (Doc. 54). The Court responded by Order. (Doc. 57). Gillespie responded to the Order (Doc. 59) noting that the Court's Order of November 7, 2011 (Doc. 57) is directed to Plaintiff's Motion To Enlarge Time to file a Notice of Objection (Doc. 54) which the Court

misidentified as the Order To Show Cause, which Order conflicted with the Court's prior Order at Doc. 56. The Court has not further responded, therefore Gillespie gives notice today of his Notice of Objection to *Notice of Assignment of Claims And Motion for Dismissal of Action With Prejudice* (Doc. 32).

3. Pursuant to Morgan v. Sears, Roebuck & Co., 700 F.Supp. 1574, 1576 (N.D. Ga. 1988)(noting that the proper method of challenging evidence is by filing a notice of objection), Gillespie files this Notice of Objection to *Notice of Assignment of Claims And Motion for Dismissal of Action With Prejudice* (Doc. 32), and in support thereof argues as set forth in his Petition for Writ of Mandamus, Supreme Court of Florida, SC11-1622 (Doc. 62) and Affidavit of Neil J. Gillespie. (Doc. 61).

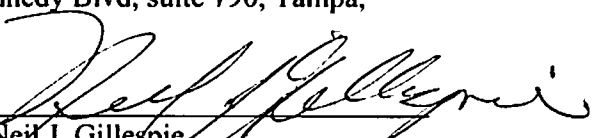
4. Because this is a notice, and not a motion, Gillespie did not include the certification per Local Rule 3.01(g).

RESPECTFULLY SUBMITTED January 12, 2012.


Neil J. Gillespie, Plaintiff pro se
8992 SW 115th Loop
Ocala, Florida 34481
Telephone: (352) 854-7807

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing was mailed January 12, 2012 to Catherine Chapman, counsel for The Law Office of Robert W. Bauer, P.A. and Robert W. Bauer, and mailed to Ryan C. Rodems, 501 E Kennedy Blvd, suite 790, Tampa, Florida 33602. No other party was served.


Neil J. Gillespie