

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

JEREMIAH BASCOMB,

CASE NO:

Plaintiff,

v.

CITY OF DAYTONA BEACH,

Defendants.

COMPLAINT

Plaintiff, JEREMIAH BASCOMB, by and through his undersigned attorneys, sues the Defendants, CITY OF DAYTONA BEACH, and states as follows:

1. This is an action for damages that exceeds Fifty Thousand Dollars (\$50,000.00) exclusive of interest, costs and attorney's fees.

2. At all times material to this action, Plaintiff, JEREMIAH BASCOMB, is a natural person residing in Deland, Volusia County, Florida.

3. Defendant, CITY OF DAYTONA BEACH, is a public entity in the State of Florida and maintains its principal address in Daytona Beach, Volusia County, Florida.

4. All other conditions precedent to the bringing of this action have been performed, have occurred or have been waived.

5. Venue is proper in Volusia County because the alleged incident occurred in Volusia County.

6. Plaintiff, JEREMIAH BASCOMB, has complied with all notice and pre-suit provisions of Section 768.28, Florida Statutes and is entitled to bring this claim pursuant to the Statute. **See Exhibit A.**

7. On July 16, 2023, Plaintiff was the operator of a 2018 Chevrolet Colorado with VIN 1GCGTBEN9J1132496 at or near the intersection of State Road 400 and County Road 4009, Daytona Beach, Volusia County, Florida.

8. At that time and place, CURTIS LEE CLARK, was the operator of a 2018 Chevrolet Tahoe with VIN 1GNLCDEC3JR401013 owned by the Defendant, CITY OF DAYTONA BEACH and operating it with the full knowledge and express authority, permission, and consent of its owner, Defendant, CITY OF DAYTONA BEACH, at or near the intersection of State Road 400 and County Road 4009, Daytona Beach, Volusia County, Florida.

9. At that time and place, CURTIS LEE CLARK was operating said motor vehicle with the consent and knowledge of Defendant, CITY OF DAYTONA BEACH, and was also operating said vehicle in the course and scope of her employment with Defendant, CITY OF DAYTONA BEACH.

10. At the time and place referenced above, CURTIS LEE CLARK, owed the public in general including Plaintiff, JEREMIAH BASCOMB, a duty to operate the CITY OF DAYTONA BEACH's motor vehicle in a safe and reasonable manner.

11. At that time and place CURTIS LEE CLARK breached his duty and carelessly and negligently operated the CITY OF DAYTONA BEACH's motor vehicle so that it collided with the vehicle being operated by Plaintiff, JEREMIAH BASCOMB.

12. As a result of the collision caused by the negligence of Curtis Lee Clark, Plaintiff, JEREMIAH BASCOMB, sustained serious and permanent injuries.

13. Defendant, CITY OF DAYTONA BEACH, is vicariously liable for the negligence of Curtis Lee Clark pursuant to the doctrine of Respondeat Superior.

14. As a direct and proximate cause of Defendant, Curtis Lee Clark, negligence, Plaintiff, JEREMIAH BASCOMB, suffered or incurred injuries included, without limitation, the following:

- A. Significant and permanent loss of an important bodily function and/or permanent and significant scarring.
- B. Permanent injury within a reasonable degree of medical probability other than scarring or disfigurement;
- C. Aggravation or activation of an existing disease or physical defect;
- D. Pain, suffering, disability, physical impairment, inconvenience, and a loss of capacity for the enjoyment of life;
- E. Expenses of medical care and treatment in the past and in the future;
- F. Loss of wages and/or loss of earning capacity in the future; and
- G. All losses are continuing and/or permanent.

15. Plaintiff, JEREMIAH BASCOMB will suffer or incur the injuries, expenses and impairment in the future.

WHEREFORE, Plaintiff, JEREMIAH BASCOMB, demands judgment for damages against Defendant, CITY OF DAYTONA BEACH, for personal injury including the losses enumerated herein, costs, interest and for other such relief as may be just and equitable and otherwise deemed proper by the Court.

DEMAND FOR JURY TRIAL

Plaintiff, JEREMIAH BASCOMB, demands a jury trial on all issues so triable of each and every one of the Counts set forth above.

RESPECTFULLY SUBMITTED this 18th day of March, 2025.



Thomas P. Glenz, Esq.
Florida Bar No.: 372810
Amanda M. Glenz, Esq.
Florida Bar No.: 1031266
DAN NEWLIN INJURY ATTORNEYS
1408 North Westshore Blvd., Suite 310
Tampa, Florida 33607
Direct: (813) 515-2777

Fax: (321) 710-1272

Attorneys for Plaintiff

Service Email:

Glenz.pleadings@newlinlaw.com

Email for Scheduling:

Tifani.Rivas@newlinlaw.com

Melanie.McConnell@newlinlaw.com

Exhibit “A”

NOTICE OF CLAIM-FLORIDA STATUTE §768.28(6)

[REDACTED]

CERTIFIED MAIL-RETURN RECEIPT

TO: Department of Financial Services
State of Florida - Legal Division
200 E. Gaines Street
Tallahassee, FL 32399-0300

City of Daytona Beach Police Department
Jakari Young Chief of Police
129 Valor Blvd.
Daytona Beach, FL 32114

The Honorable, Derrick L. Henry,
Mayor of Daytona Beach
301 S. Ridgewood Ave
Daytona Beach, FL 32114

CLAIMANT: Jeremiah Bascomb
Address: 2232 East Florence Ave
Deland, FL 32724
Date of Birth: October 9, 1979
Place of Birth: Fort Campbell, KY
Social Security No: [REDACTED]

CONSORTIUM CLAIMANT: N/A

PRIOR ADJUDICATED UNPAID CLAIMS: NONE

DATE AND TIME OF INCIDENT: July 16, 2023 at approximately 12:36 PM

PLACE OF INCIDENT: State Road 400 and County Road 4009, Daytona Beach, FL

DESCRIPTION OF INCIDENT: Officer Curtis Lee Clark of the Daytona Beach Police Department rear ended Mr. Bascomb's vehicle at a red light.

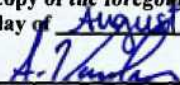
DESCRIPTION OF INJURIES: Mr. Bascomb sustained injuries to his neck, left shoulder and pain to his mid and lower back.

KNOWN GOVERNMENT AGENTS OR EMPLOYEES: Curtis Lee Clark / DOB: 12/08/1995

RELIEF SOUGHT: Compensation to include but not to be limited to all permanent injuries, past and future medical bills, wage loss, mileage, prescriptions, pain and suffering, property damage and any and all other out of pocket expenses incurred as a result of this accident.

IF ADDITIONAL INFORMATION IS NEEDED, PLEASE CONTACT THE UNDERSIGNED.
PLEASE ACKNOWLEDGE RECEIPT HEREOF.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by certified mail to the above agencies, this 8th day of August, 2023.


Adam Vandevar, Esquire
FBN: 121711
Dan Newlin Injury Attorneys
7335 W. Sand Lake Road
Suite 300
Orlando, FL 32819
(407) 250-6539
Attorneys for Plaintiff

NOTICE OF CLAIM—FLORIDA STATUTE §768.28(6)

([REDACTED])

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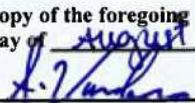
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7335 W. Sand Lake Road
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Orlando, FL 32819
(407) 250-6539
Attorneys for Plaintiff

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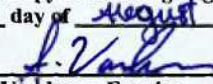
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I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by certified mail to the above agencies, this 5th day of August, 2023.


Adam Vallevar, Esquire
FBN: 121711
Dan Newlin Injury Attorneys
7335 W. Sand Lake Road
Suite 300
Orlando, FL 32819
(407) 250-6539
Attorneys for Plaintiff

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

The Honorable, Derrick L. Henry
Mayor of Dayton Beach
301 S. Ridgewood Ave
Daytona Beach, FL 32114

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ Brenda Miller ☐ Addressee's Signature

B. Received by (Printed Name)

Brenda Miller

C. Date of Delivery

8/14/22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Delivery Restricted Delivery
☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

2. Article Number (Transfer from...)

7020 1810 0001 9894 6899

USPS TRACKING #



ORLANDO FL 328

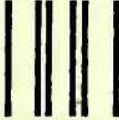
9590 9402 7750 2152 3654 21

United States
Postal Service

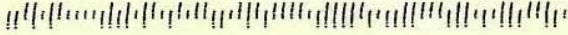
Dan Newlin Injury Attorneys
7335 West Sand Lake Road
Suite 300
Orlando, Florida 32819

~~Mr~~ J. Bascomb / Stat Notice

• Sender: Please print your name, address, and ZIP+4® in this box•



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
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Department of Financial Services
State of Florida - Legal Division
200 E. Gaines Street
Tallahassee, FL 32399-0300



9590 9402 7750 2152 3654 07

7020 1810 0001 9894 6875

COMPLETE THIS SECTION ON DELIVERY**A. Signature****X***Frances Pye*☐ Agent☐ Addressee

Received By: Frances Pye

B. Received by (Print Name) Service C. Date of DeliveryDep. of Financial Services
Tallahassee, FL 32399-0300

- D. Is delivery address different from item 1?** ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

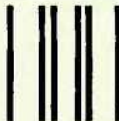
In Delivery Restricted Delivery

Mail

Mail Restricted Delivery

(over \$500)

USPS TRACKING #



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

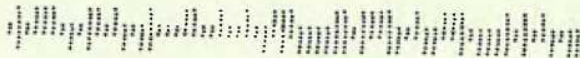
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APX | J. Bascomb | stat Notice



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 Jakari Young Chief of Police
 129 Valor Blvd.
 Daytona Beach, FL 32114



9590 9402 7750 2152 3654 14

7020 1810 0001 9894 6882

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

[Handwritten Signature]

☐ Agent

☐ Addressee

B. Received by (Printed Name)

[Handwritten: Ofc Muniz]

C. Date of Delivery

[Handwritten: 8/12/23]

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☒ Yes

☐ No

3. Service Type

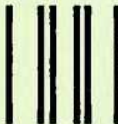
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- ☐ Collect on Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Delivery Restricted Delivery
 all

Insurance Restricted Delivery
 (over \$500)

USPS TRACKING #



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 7750 2152 3654 14

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box •

van Newlin Injury Attorneys
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Orlando, Florida 32819

AKV / J. Bascomb / Stat Notice