

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY FLORIDA**

CHARLES WORTH,

CASE NO.:

Plaintiff,

vs.

CITY OF DELAND,

Defendant.

_____/

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW, the Plaintiff, CHARLES WORTH (hereinafter "Plaintiff"), by and through undersigned attorney, and herein sues Defendant, CITY OF DELAND, and alleges:

1. This is an action for damages that exceeds the sum of FIFTY THOUSAND DOLLARS (\$50,000.00), exclusive of costs, interest and attorneys' fees (the estimated value of Plaintiff's claim is in excess of the minimum jurisdictional threshold required by this Court). Accordingly, Plaintiff has entered "\$50,001" in the civil cover sheet for the "estimated amount of the claim" as required in the preamble to the civil cover sheet for *jurisdictional purposes only* (the Florida Supreme Court has ordered that the estimated "amount of claim" be set forth in the civil cover sheet for data collection and clerical purposes only). The actual value of Plaintiff's claim will be determined by a fair and just jury in accordance with Article 1, Section 21, Fla. Const.

2. This action is brought pursuant to Section 768.28(6), Fla. Statute.

3. At all times material to this action, Plaintiff was a natural person residing in Volusia County, Florida.

4. At all times material to this action, the driver of the Defendant's vehicle, was acting in the course and scope of her employment with Defendant, CITY OF DELAND.

5. At all times material to this action, Defendant, CITY OF DELAND, was a political

subdivision of the State of Florida, and was acting by and through its employees, agents and

representatives who were acting within the course and scope of their employment.

COUNT I
CLAIM AGAINST CITY OF DELAND

Plaintiff alleges and incorporates by reference paragraphs 1 – 5, and further states:

6. On or about December 15, 2024, the Plaintiff was a restrained driver traveling on Stone St at Edgewood Blvd in Deland, Volusia County, Florida.

7. At that time and place, the driver of the Defendant's car, was operating a City of Deland vehicle while in the course and scope of her employment with the Defendant, CITY OF DELAND.

8. At that time and place, the driver of the Defendant's vehicle, negligently operated the vehicle and crashed into the Plaintiff's vehicle, resulting in permanent injuries to the Plaintiff.

9. Defendant's driver was operating and driving the motor vehicle with permission and consent of its owner, Defendant, CITY OF DELAND.

10. Defendant, CITY OF DELAND, owed a duty to Plaintiff to have its employee, the Defendant's driver, use reasonable care in the operation of the vehicle he was operating.

11. At the time and place, Defendant, CITY OF DELAND, breached that duty where its employee, the Defendant's driver, negligently operated and/or maintained the motor vehicle he was driving when he crashed into Plaintiff causing permanent injuries.

12. Defendant, CITY OF DELAND, as a political subdivision of the State of Florida, is vicariously liable for the negligence of its employee, Defendant's driver, operating the subject bus within the course and scope of his employment at the time of the incident.

13. This action is brought pursuant to Section 768.26(6), Fla. Stat. against Defendant as a political subdivision of the State of Florida. All conditions precedent to filing under 768.28(6)(b), Fla. Stat. have been satisfied.

14. As a direct and proximate result of Defendant's negligence, Plaintiff suffered bodily injury including a permanent injury to the body as a whole, pain and suffering of both a physical and mental nature, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money and loss of ability to lead and enjoy a

normal life. The losses are either permanent or continuing and Plaintiff will suffer the losses in the future. Plaintiff's motor vehicle was also damaged.

WHEREFORE, Plaintiff, demands judgment for damages against Defendant, CITY OF DELAND, and other such relief deemed proper by the Court. Plaintiff also demands a jury trial on all issues so triable.

RESPECTFULLY submitted this 18th day of September, 2025.

/s/ Matthew Scott Hochstein

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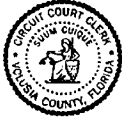
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CLERK OF THE CIRCUIT COURT

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Filing #: [REDACTED]

Filer: Matthew Scott Hochstein

Payment: \$410.00

- 1 Filing Fee: \$400.00
- 2 Summons Issuance: \$10.00
- 3 Complaints/Petitions Complaint: \$0.00
- 4 Complaints/Petitions Civil Cover Sheet: \$0.00
- 5 Notices/Reports Notice: \$0.00
- 6 Notices/Reports Notice: \$0.00
- 7 Notices/Reports Notice: \$0.00
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