

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

CASE NO:

SHARON LONK,

Plaintiff,

v.

CITY OF DEBARY,

Defendant.

COMPLAINT

COMES NOW Plaintiff, SHARON LONK, and sues Defendant, CITY OF DEBARY, and alleges as follows:

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

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

3. At all times material to this action, Defendant, CITY OF DEBARY, is a municipality in DeBary, Volusia County, Florida.

4. All conditions precedent for bringing suit have been satisfied in accordance with Fla. Stat. § 768.28. The statutory notice was filed on January 3, 2024, and is attached hereto as Exhibit "A".

5. On or about October 12, 2023, Plaintiff was walking on the sidewalk of Soft Shadow Lane in DeBary, Volusia County, Florida when she tripped and fell due to a broken and deformed piece of the sidewalk.

6. At all times material hereto, Defendant, CITY OF DEBARY was the owner of the sidewalk on Soft Shadow Lane in DeBary, Volusia County, Florida and had a duty to inspect the sidewalk, to maintain the sidewalk in a reasonably safe condition, and to warn of any unsafe conditions.

7. At said time and place, Defendant, CITY OF DEBARY breached its duty owed to Plaintiff by committing one or more of the following omissions or commissions:

- a) Negligently failing to maintain or adequately maintain the sidewalk, thus creating a hazard and dangerous condition to members of the public, including the Plaintiff;
- b) Negligently failing to inspect or adequately inspect the sidewalk, as specified above, to ascertain whether the sidewalk constituted a hazard or danger to the public, including the Plaintiff;
- c) Negligently failing to warn or adequately warn the Plaintiff or others of the hazard or danger created by sidewalk, when Defendant knew or through the exercise of reasonable care should have known that the sidewalk was unsafe and unreasonably dangerous, and that Plaintiff was unaware of same;
- d) Negligently failing to correct or adequately correct the unreasonably hazardous and dangerous condition created by the sidewalk, when said condition was either known to Defendant or had existed for a sufficient length of time such that Defendant should have known of same had Defendant exercised reasonable care;

8. As a direct and proximate result of the negligence of Defendant, CITY OF DEBARY, Plaintiff suffered bodily injury in and about his body and extremities, resulting in pain and suffering, disability, disfigurement, permanent and significant scarring, mental anguish, loss of the capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earning, loss of the ability to earn money, and aggravation of previously existing condition. The losses are either permanent or continuing and Plaintiff will suffer the losses in the future.

WHEREFORE, the Plaintiff, SHARON LONK, sues the Defendant, CITY OF DEBARY, for damages and demands judgment in excess of Fifty Thousand Dollars (\$50,000.00), plus interest and costs, and demands trial by jury of all issues so triable.

RESPECTFULLY submitted this 3rd day of October, 2025.

/S/ TRENTON M. SWAN
TRENTON M. SWAN, ESQUIRE
Bar No: 105601
Todd K. Miner, P.A.
915 Outer Road, Ste. 100
DEBARY, FL 32814
Telephone: (407) 894-1480
Facsimile: (407) 894-1483
Attorneys for Plaintiff
PRIMARY E-MAIL ADDRESS:
swan-efiling@todddminerlaw.com

EXHIBIT A



January 3, 2024

NOTICE OF CLAIM – FLORIDA STATUTES 768-28(6)

TO:

CERTIFIED MAIL – RETURN RECEIPT

Chief Financial Officer
Department of Financial Services
State of Florida
200 East Gaines Street
Tallahassee, Florida 32314

CERTIFIED MAIL – RETURN RECEIPT

City of DeBary
Attn: Mayor Karen Chasez/head of agency
16 Colomba Road
DeBary, FL 32713

CERTIFIED MAIL – RETURN RECEIPT

Volusia County Board of County Commissioners
Attn: Head of agency
123 W. Indiana Ave
Deland, FL 32720

CLAIMANT:

	Sharon Lonk
Date of Birth:	[REDACTED]
Place of Birth:	Hackensack, NJ
Social Security No:	[REDACTED]

CONSORTIUM CLAIMANT: None

PRIOR ADJUDICATED UNPAID CLAIMS: (if none, so state)

Claimant: None
Consortium Claimant: None

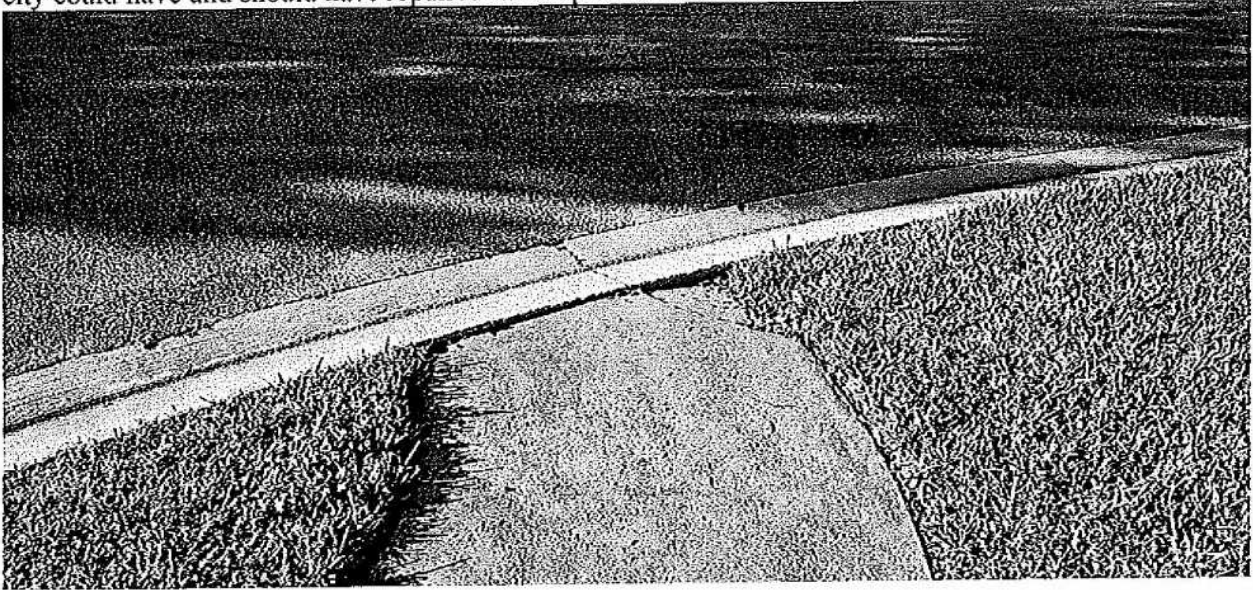
DATE OF INCIDENT: October 12, 2023

PLACE OF INCIDENT: Soft Shadow Lane located in the neighborhood of Glen Abbey -
DeBary, FL, Volusia County.

WWW.TODDMINERLAW.COM

915 OUTER ROAD • ORLANDO, FL 32814 • PHONE (407) 894-1480 • FAX (407) 894-1483

DESCRIPTION OF INCIDENT: Ms. Lonk was walking down the sidewalk on Soft Shadow Lane in the Neighborhood of Glen Abbey in DeBary FL when she tripped and fell due to a broken and deformed piece of the sidewalk. This sidewalk had been broken and in need of repair since at least 2019, and the city could have and should have repaired it. See phot below for location of the fall.



IF ADDITIONAL INFORMATION IS NEEDED, PLEASE CONTACT THE UNDERSIGNED.
PLEASE ALSO 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 5th day of Jan, 2024.



Trenton M. Swan, Esq.
FBN 990515
Todd K. Miner, P.A.
915 Outer Road, Suite 100
Orlando, FL 32814
(407) 894-1480
Attorneys for Plaintiff