

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

CASE NO.:
DIVISION:

ADELE BOWE,

Plaintiff,

v.

CITY OF PORT ORANGE,
FLORIDA, a municipality,

Defendant.

_____ /

COMPLAINT

Plaintiff, ADELE BOWE, sues the Defendant, CITY OF PORT ORANGE, FLORIDA, a municipality (hereinafter “Defendant, PORT ORANGE”), and alleges as follows:

1. This is an action for damages in excess of Fifty-Thousand and One-Dollars (\$50,001.00).
2. Plaintiff ADELE BOWE is a resident of PORT ORANGE, Volusia County, Florida.
3. Defendant PORT ORANGE is a municipality, organized and existing under the laws of the State of Florida, with its principal place of business located at 1000 City Center Circle, Port Orange, Volusia County, Florida.
4. Defendant PORT ORANGE is an agency or subdivision of the State of Florida that has waived its sovereign immunity by virtue of Fla.Stat. Section 768.28.
5. At all times relevant, Defendant PORT ORANGE acted by and through its agents, servants and/or employees.

6. All conditions precedent to the filing of this action have been performed, have occurred or otherwise have been waived, including the notices of claim as required by Fla.Stat. Section 768.28, which have been served on Defendant PORT ORANGE, and all appropriate entities. Copies of the notices of claim letters with proof of mailing and receipt are attached collectively hereto as **Exhibit “A.”**

7. On or about March 28, 2025, Plaintiff ADELE BOWE was on the sidewalk in the City Center Loop in Port Orange, Florida (“the subject area”).

8. At all relevant times, the subject area was owned, maintained, and/or controlled by Defendant PORT ORANGE.

9. At the above-mentioned time and location, Plaintiff ADELE BOWE was walking on the sidewalk when she was caused to trip and fall as a result of a dangerous, and hazardous area of cracked, broken, and collapsed sidewalk, thereby sustaining injuries.

10. Defendant PORT ORANGE had a duty to maintain the subject area in a reasonably safe condition and to adequately warn the Plaintiff ADELE BOWE of dangers that Defendant knew or should have known about in the exercise of reasonable care and failed to blockade or otherwise prevent public invitees from cracked, broken and collapsed section of the sidewalk.

11. Defendant PORT ORANGE breached its duty of care when it negligently maintained, controlled, inspected, and failed to repair the subject area in such a way as to allow a dangerous condition to exist, and in the absence of an adequate warning or barricades.

12. At all relevant times, Defendant PORT ORANGE and/or its agents or employees, knew that such dangerous condition existed, or said condition existed for a sufficient length of time such that the Defendant should have known of the hazardous condition.

13. As a result of Defendant PORT ORANGE's negligence, Plaintiff ADELE BOWE suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, and/or aggravation of a pre-existing condition. The losses are either permanent or continuing and the Plaintiff will suffer such losses in the future.

WHEREFORE, the Plaintiff, ADELE BOWE, demands judgment against the Defendant, CITY OF PORT ORANGE, and further demands a trial by jury.

RUE & ZIFFRA



Edward S. Rue, Esquire
632 Dunlawton Avenue
Port Orange, FL 32127
Phone: (386) 788-7700
FBN: 0023232
Email: edr@rueziffra.com
susanj@rueziffra.com
Attorney for the Plaintiff

EXHIBIT A

Kim Torres
RUE AND ZIFFRA, P.A.
640 Dunlawton Ave
Port Orange, FL 32127

USPS CERTIFIED MAIL



9414 8149 0291 2645 0727 14

Bruce Hudecek
City of Port Orange Risk Management
1000 City Center Cir
Port Orange, FL 32129-4144



RUE & ZIFFRA

ATTORNEYS & COUNSELORS AT LAW

June 6, 2025

VIA CERTIFIED MAIL, # 9414 8149 0291 2645 0727 14
RETURN RECEIPT REQUESTED

ATTORNEYS:

ALLAN L. ZIFFRA

LUIS R. GRACIA*

DAVID L. SWEAT

KIM E. BOUCK

DARREN COLEMAN

EDWARD S. RUE

MATTHEW J. MITCHELL

CHRISTY E. MONTOTO

JAKOB UZZLE

* Board Certified in Social Security
Disability Law by the National Board
of Trial Advocacy

SEND ALL MAIL TO MAIN OFFICE:

PORT ORANGE
632 DUNLAWTON AVE.
PORT ORANGE, FL 32127
(386) 788-7700
(386) 788-8707 FAX

PALM COAST
(386) 439-0249

DELAND
(386) 734-5900

LAKE MARY
(407) 259-4485

ORLANDO
(407) 329-3976

WINTER PARK
(407) 634-2250

Bruce Hudecek
City of Port Orange
Risk Management
1000 City Center Circle
Port Orange, FL 32129-4144,

RE: Notice Of Claim Pursuant to Fla. Stat. § 768.28(6)

Our Client:	Adele Bowe
Your Insured:	City of Port Orange
Date of Accident:	03/28/2025
Our File Number:	46483
Accident Location:	Port Orange City Center Municipal Complex, City Center Circle Walkway

Dear Sir or Madam:

The purpose of this letter is to provide you with notice of a pending claim against, State of Florida, City of Port Orange, County of Volusia and The Department of Financial Services and/or their agents. Our claim is based on negligence of an improperly maintained, designed sidewalk at Port Orange City Center Municipal Complex City Center Circle Walkway in Port Orange, Volusia County, Florida. This defect caused my client to trip and fall over the raised concrete on the sidewalk which resulted in my client sustaining the following injuries: **broken right 5th metatarsal.**

This notice is provided in accordance with Florida Statute 768.28(6)(c). You should be advised that suit will be filed in this cause within six (6) months from the date of this letter pursuant to the above statute.

The Full Name of the Claimant is:	Adele Bowe
Claimant's Date of Birth:	
Claimant's Social Security Number:	
Claimant's Place of Birth:	

Adele Bowe is an adult who does not have any penalties, fines, fees, victim restitution funds or other judgments in excess of \$200.00 in her name at all whether imposed by a civil, criminal, or administrative tribunal, owed to the state, its agencies, officers or subdivision that we have been able to locate.

Very truly yours,
RUE & ZIFFRA



Edward S Rue, Esquire
ESR/kbt

Cc: County of Volusia
Florida Department of Financial Services/
State of Florida



May 29, 2026

Dear Susan Jones:

The following is in response to your request for proof of delivery on your item with the tracking number:
9414 8149 0291 2645 0727 14.

Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	June 12, 2025, 12:09 pm
Location:	PORT ORANGE, FL 32129
Posta Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	Bruce Hudecek

Shipment Details

Weight:	1.0oz
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Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004