IN THE CIRCUIT COURT OF THE 7TH
JUDICIAL CIRCUIT IN AND FOR
VOLUSIA COUNTY, FLORIDA

CASE NO.:

IRALIA CRUZ-MAVRORASAKIS,

Plaintiff,

vs.

CITY OF NEW SMYRNA BEACH, a political
Subdivision of the State of Florida,

Defendant.
_____/

COMPLAINT

COMES NOW, the Plaintiff, IRALIA CRUZ-MAVRORASAKIS, by and through undersigned counsel, files this lawsuit against the Defendant, CITY OF NEW SMYRNA BEACH, a political subdivision of the State of Florida, and alleges as follows:

1. This is an action for damages in excess of $50,000.00.

2. At all times material hereto, Plaintiff, IRALIA CRUZ-MAVRORASAKIS is a resident and citizen of VOLUSIA County, Florida, is over the age of eighteen (18) years and is otherwise sui juris.

3. At all times material hereto, Defendant, CITY OF NEW SMYRNA BEACH (referred to herein as "NEW SMYRNA BEACH"), is a political subdivision of the State of Florida duly authorized to do and doing business in the State of Florida.

4. At all times material hereto, Defendant, NEW SMYRNA BEACH owned, controlled, possessed, and maintained the sidewalk property located at 504 Venetian Villa Drive, New Smyrna Beach, FL 32168.

5. At all times material hereto, Plaintiff, IRALIA CRUZ-MAVRORASAKIS was rightfully on the premises as a business invitee.

6. At all times material hereto, Defendant, NEW SMYRNA BEACH had a duty to use reasonable care to protect the Plaintiff, IRALIA CRUZ-MAVRORASAKIS from dangerous conditions existing on said premises of which they knew, or should have known.

7. On or about the 31st of May, 2024 the Defendant, NEW SMYRNA BEACH, and/or its employees, servants or agents, acting in the course and scope of their employment, were negligent in one or more of the following particulars:

(a) Creating and/or permitting a dangerous and unsafe condition, to-wit: failing to exercise reasonable care in the maintenance of it's sidewalk.
(b) Failing to properly maintain and examine the sidewalk to make sure they were safe and properly maintained free from dangerous conditions.
(c) Otherwise, owning, maintaining, possessing, or controlling said sidewalk in a dangerous, hazardous and unsafe condition;
(d) Failing to have proper procedure to identify such dangerous, hazardous and unsafe conditions;
(e) Failing to inspect the premises for hazardous conditions;
(f) Failing to adequately warn of said dangerous hazardous and unsafe conditions in the area of the
(g) Other negligent actions or omissions to be determined through discovery.

8. At all times material hereto, the Defendant, NEW SMYRNA BEACH, knew or should have known of the existence of said dangerous, hazardous, or unsafe condition of said sidewalk.

9. As a proximate result of the negligence, the Plaintiff, IRALIA CRUZ-MAVRORASAKIS was injured when she tripped and fell over the uneven sidewalk.

10. As a direct and proximate result of the aforementioned negligence of Defendant, NEW SMYRNA BEACH, the Plaintiff, IRALIA CRUZ-MAVRORASAKIS was injured in and about her body and extremities, suffered pain and mental anguish therefrom, loss of capacity for the enjoyment of life, was required to and did receive medical care, treatment, and related expenses as a result of her

injuries, suffered great pain and will continue permanently to suffer great pain, and has suffered and sustained permanent injury within a reasonable degree of medical probability and/or aggravated a pre-existing injury or condition thereto; and said injuries are either permanent or continuing in their nature, that her working ability was impaired and he suffered a resultant loss of earnings and will suffer such losses and impairments in the future, as well as conditions not yet diagnosed; that all of said injuries were caused solely by the negligence and carelessness of the Defendant herein.

WHEREFORE, the Plaintiff, IRALIA CRUZ-MAVRORASAKIS, demands judgment against the Defendant, NEW SMYRNA BEACH herein and a trial by jury of all issues triable in this cause.

DATED this 3rd day of September, 2025.

LEEDER LAW

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