

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,
IN AND FOR ESCAMBIA COUNTY, FLORIDA**

Case No.: _____

Division: _____

Re: A Citizen's Complaint Against the City of Pensacola

Jonathan G. Green
Petitioner(s),

and

**D.C. Reeves (Mayor of the City of Pensacola, FL) & the Pensacola City Council, and
Pensacola City Council also acting as Community Redevelopment Agency (CRA),
Respondents.**

**EMERGENCY TEMPORARY RESTRAINING ORDER TO ALLOW COMMITTEE TO
GATHER AND COLLECT SIGNATURES FOR REFERENDUM**

The undersigned pro se litigant hereby files this for Emergency Temporary Restraining Order to Allow Committee to Gather and Collect Signatures for Referendum, within the sixty (60) days which is provided for in the Pensacola City Charter to restrain the City Officials from executing acts in the furtherance of the demolition of the Malcolm Yonge Community Center. Further, there is substantial likelihood of harm through demolition of the community center.

The pro se litigant prays for the sixty (60) days allotted according to the Pensacola City Charter (the Charter), to convene the Committee to Save Malcolm Yonge Community Center, according to the Charter as follows:

“Within sixty (60) days following the effective date of a measure passed by City Council, City electors shall have the power to require reconsideration by the City Council of any measure passed by City Council. If the City Council fails to repeal a measure so reconsidered, the electors have the power to approve or

reject the reconsidered measure at a City election. The electors are not empowered to reconsider measures that extend to providing an annual budget, levying taxes, or setting salaries of City officers or employees.

Any ten (10) electors may commence initiative or referendum proceedings by filing with the City Clerk an affidavit stating that they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form. The affidavit shall further provide their names and addresses, specify the mailing address for notices to be sent to the committee, and fully set forth the proposed initiative or identify the measure sought to be reconsidered. Promptly after the petitioners' committee's affidavit is filed, the City Clerk, at the committee's request, shall issue the appropriate petition forms to the committee at the committee's expense.

Section 7.05. - Initiative or Referendum Petitions.

(a) Number and Signatures. Initiative and referendum petitions must be signed by City electors equal to at least ten percent (10%) of the total number of registered electors in the City, as shown by the compilation by the Supervisor of Elections for the most recent general election of the City Council. (b) Form and Content. All petition papers shall be uniform in size and style and shall be printed on separate cards or individual sheets of paper. Adequate space must be provided for the voter's name, address, signature, and date of signature. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered. (c) Statement of Circulator.

When filed, petitions shall have attached a statement executed by the circulator or circulators of the petitions that he, she, or they personally circulated the petitions. The statement shall further state the number of signed petitions submitted and that the circulator believes them to be the genuine signatures of the persons whose names they purport to be. (d) Filing Deadline. All initiative and referendum petitions must be filed with the City Clerk within sixty (60) days of the commencement date of the initiative or referendum proceedings. The City Clerk shall submit the petitions to the Supervisor of Elections within three (3) business days of receipt of the petitions.”

WHEREFORE, Petitioner prays that the Court grant the Temporary Restraining Order for the City of Pensacola Mayor & Council to act in accord with the Pensacola City Charter, to allow sixty (60) days for committee to collect and gather wet signatures to allow referendum, allowing the City of Pensacola Residents to vote, based on the above premises; and that this court finds judgment against the Mayor and Council of the City of Pensacola, in favor of city residents and on behalf of the pro se litigant/petitioner granting this action for Emergency Temporary Restraining Order in a manner that is just and reasonable under the circumstances, and the City of Pensacola shall incur any legal costs and attorney’s fees associated with this action.

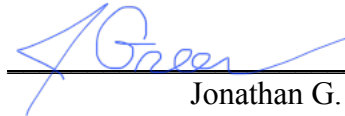
Respectfully Submitted,

Filer’s Signature 

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to the below named via e-mail service on this 15th day of February, 2024.

Adam Cobb
Attorney for Respondent
City of Pensacola Attorney
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