

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

Case No.: **2024 CA 000223**

Division: **N**

**Re: A Citizen's Complaint Against the City of Pensacola
Jonathan G. Green (pro se)
Petitioner**

and

**D.C. Reeves (Mayor of the City of Pensacola, FL) & the Pensacola City Council, Pensacola
City Council, et. al
Respondents.**

**AMENDED COMPLAINT FOR TEMPORARY INJUNCTION
WITH CAUSE OF ACTION**

I, Jonathan Garrett Green (Petitioner/Pro Se Litigant) is a citizen of the city of Pensacola. I live at 1616 N. Reus Street. I am a registered voter in the city of Pensacola. I serve on a 10 member citizens committee that has been legally certified by the city of Pensacola Clerk of be legally organized pursuant to *Section 7.03. - Power of Referendum.* of the City Charter to collect petitions to ask the Pensacola City Council to reconsider its vote on February 8, 2024 to award a contract to Jobe's Dirt (Exhibit A) the purpose of demolishing Malcolm Yonge Gym located at 925 E. Jackson Street in Pensacola, Florida. *See Exhibit B of Section 7.03. - Power of Referendum and section 7.04 of the Pensacola City Charter.*

Pursuant to *Section 7.03.* and *Section 7.04* of the city charter the petitioners committee has 60 days from the certification of the City Clerk that the committee is lawfully established for the purpose of collecting petitions. (Exhibit C)

Facts supporting request for temporary restraining order pursuant to Fla. R. Civ.

P.1.140 (b) (6)

1. On February 8, 2024 the city council voted 6 to 1 to award a contract to Jobes Dirt Work, Inc., in the amount of \$49,232.50 for the demolition of Malcolm Yonge Gym located at 925 East Jackson Street in Pensacola, Florida.
2. On February 16, 2024 the city clerk certified the Affidavit of Petitioner's Committee to allow the committee and its members to collect signatures to request the Pensacola City Council to reconsider its vote to award a contract for the demolition of Malcolm Yonge Gym.
3. On or about February 16, 2024 the City of Pensacola sent a certified letter to various property owners within a certain geographical area of Malcolm Yonge Gym that the city intends to begin demolish of the Gym on March 4, 2024 . See letter dated February 16, 2024 from the facility management office to local residents (attached)/.
4. The city has begun preparations of the demolition of Malcolm Yonge Gym by placing fencing and signs around the facility to give notice to the public that the city is being demolition of the gym. See pictures (attached) taken on February 28, 2024.

Should the city demolish the Malcolm Yonge Gym before the time allowed for the Plaintiff to engage in the lawful collaborative effort of the other committee members to collect signatures, Petitioner's rights under the City Charter, State of Florida Constitution, and U.S. Constitution will be violated. The City Charter provides citizens

with a process to address their grievances to the government but also to initiate a citizen's referendum.

The Plaintiff's is asking the court to issue an emergency restraining order to protect the Plaintiff's right to engage in a protected citizen's initiative pursuant to *Section 7.03. - Power of Referendum* of the City of Pensacola Charter, in accord with the U.S and the State of Florida Constitutions.

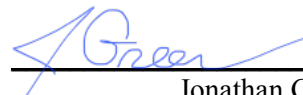
Respectfully Submitted,

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 2nd day of March, 2024.

Adam Cobb, Esq.
acobb@cityofpensacola.com
John R. Zoesch III, Esq.
jrz@beggslane.com
Counsel for City Respondent(s)



Jonathan G. Green (pro se)
1616 N. Reus St. Pensacola, FL 32501
J.GarrettGreen@gmail.com