SJS 44 (Rev. 12/07)

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS ynn Ellen Mendes				DEFENDANTS Charles Brown Charlotte Mecklenburg Public Library					
(b) County of Residence of First Listed Plaintiff Mecklenburg (EXCEPT IN U.S. PLAINTIFF CASES)				County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.					
(c) Attorney's (Firm Name, Address, and Telephone Number)				Attorneys (If Known)					
II. BASIS OF JURISE	DICTION (Place an "X" in One	Box Only)		TIZENSHIP OF		L PARTIES(
🗇 l U.S. Government Plaintiff					PTF DEF	Incorporated or Pri of Business In This	ncipal Place	PTF	DEF
🗗 2 U.S. Government Defendant	Diversity (Indicate Citizenship of Parties in Item III)		Citize	n of Another State		Incorporated and P of Business in A		O 5	D 5
		n or Subject of a (eign Country	□ · 3 □ · 3 Foreign Nation □ · 6 □ · 6						
	T (Place an "X" in One Box Only)		100 1222	DE 1991 LE 1992 DE 1992 DE 1993 DE 199	O CONTRACTOR AND	IKRUPICY.	OTHERS	TEATHER	rs:
CONTRACT 110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excl. Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	□ 310 Airplane □ 315 Airplane Product Liability □ 320 Assault, Libei & Slander □ 330 Federal Employers' Liability □ 340 Marine PEI □ 345 Marine Product □ 345 Marine Product Liability □ 350 Motor Vehicle □ 755 Motor Vehicle □ 1355 Motor Vehicle □ 1360 Other Personal Injury □ 341 Voting □ 341 Voting □ 342 Employment □ 443 Housing/ □ 442 Employment □ 444 Weifare □ 345 Amer. w/Disabilities □ 345 Employment □ 346 Employment □ 347 Amer. w/Disabilities □ 348 Employment □ 348 Employme	PERSONAL INJURY 362 Personal Injury - Med, Malpractice 365 Personal Injury - Product Liability 368 Asbestos Personal Injury Product Liability RSONAL PROPERTY 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage Product Liability ISONER PETFIONS 510 Motions to Vacate Sentence Habeas Corpus: 530 General 335 Death Penalty 540 Mandamus & Other 550 Civil Rights 555 Prison Condition	G 616 G 626 G 626 G 626 G 636	RFETURE/PENALTY) Agriculture) Other Food & Drug 5 Drug Related Seizure of Property 21 USC 881) Liquor Laws) Airline Regs.) Occupational Safety/Health) Other LABOR) Fair Labor Standards Act) Labor/Mgmt. Relations) Labor/Mgmt. Reporting & Disclosure Act) Railway Labor Act) Cher Labor Litigation 1 Empl. Ret. Inc. Security Act IMMIGRATION 2 Naturalization Application 3 Habeas Corpus Alien Detainee 5 Other Immigration Actions	☐ 422 Appe ☐ 423 With ☐ 28 US ☐ PROPEI ☐ 820 Copy ☐ 830 Paten ☐ 840 Trade ☐ 861 HIA (☐ 862 Black ☐ 862 Black ☐ 863 DIW ☐ 864 SSID ☐ 865 RSI (☐ FEDER) ☐ 870 Taxes ☐ 26 US	al 28 USC 158 drawal SC 157 CLY-RIGHTS rights t t mark SECURITY (1395ff) Lung (923) CDIWW (405(g)) Title XVI 405(g)) LUTAX SUITS s (U.S. Plaintiff efendant)	400 State Rea 410 Antitrust 430 Banks an 450 Commer 460 Deportati 470 Racketee 470 Racketee 480 Consume 490 Cable/Sa 810 Selective 850 Securitie 875 Custome 12 USC 3 890 Other State 891 Agriculti 892 Economi 893 Environ 894 Energy A 895 Freedom 4ct 900Appeal of	apportion d Banking cion r Influenc organizati r TV Service s/Commo r Challeng attory Action Tal Acts c Stabiliz mental Millocation of Inforn f Fee Dete qual Accei cionality o	ge ctions ation Act atters Act nation sermination services s
St 1 Original	ate Court Appe	ellate Court	Reop	ened spe	sferred from her district cify)	☐ 6 Multidistr Litigation	ict 🗇 7 M	ppeal to idge fror lagistrate idgment	n e
VI. CAUSE OF ACTI	ON Brief description of cause:	. s.c. 19	<i>x</i> 3		nai statutes u	nless diversity):			
VII. REQUESTED IN COMPLAINT: Banned from Charlotte Mecklenburg Public CHECK IF THIS IS A CLASS ACTION DISCOMPLAINT: UNDER F.R.C.P. 23 125,000.				EMAND \$ CHECK YES only if demanded in complaint:					
VIII. RELATED CAS IF ANY	(See instructions)	GE Emily Hewi	itt		DOCKE	T NUMBER Ca	ase 09-487C		
DATE 08/24/2010		SIGNATURE OF ATTO	ORNEY (OF RECORD					
FOR OFFICE USE ONLY									***************************************
RECEIPT # A	MOUNT	APPLYING IFP	····	JUDGE		MAG. JUI	OGE		

lendes v. Brown et a

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

- III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity.

 Example: U.S. Civil Statute: 47 USC 553
 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.