

CASE NO. **90211028**

Part _____ of _____ Parts

In The Circuit Court for Baltimore City
CIVIL

In the Matter of
YVONNE DESSESAURE
VS
ST. PAUL RENTALS

C
V
11-2-90

A

YVONNE DESSESAURE * IN THE
Appellant * CIRCUIT COURT
v. * FOR
ST. PAUL RENTALS * BALTIMORE CITY
Appellee * Case #90211028/CL117260
* * * * *

4

MEMORANDUM OPINION AND ORDER

Hollander, J.

Introduction

Yvonne Dessesauere ("Dessesauere") leased an efficiency apartment at 1748 Park Avenue (the "Apartment"), from St. Paul Rentals ("St. Paul"). She filed suit in the District Court against St. Paul, claiming that her furniture had been removed from the Apartment when she was in the Baltimore City Jail awaiting trial on an unrelated matter. Dessesauere sought damages in the amount of \$3155.00.

On May 31, 1990, the matter was tried before the Honorable H. Gary Bass in the District Court for Baltimore City. Oral testimony was presented by both parties, and at the conclusion of the trial, Judge Bass entered judgment for St. Paul. Dessesauere appealed, and oral argument was heard in this court on November 29, 1990.

Scope of Review

This is an appeal on the record. See Md. Code Ann., Cts. & Jud. Proc. Art., Sec. 12-401(d). In an appeal taken on the record from the District Court, Maryland Rule 1386 provides that the appellate court shall:

review the case upon both the law and the evidence, but the judgment of the lower court will not be set aside on the evidence unless clearly erroneous and due regard will be given to the opportunity of the lower court to judge the credibility of the witnesses.

As Rule 1386 makes clear, this court, functioning as an appellate or reviewing court, may reverse the decision of the lower court as to factual determinations only if, on the record, it appears that the trial court's determination was clearly erroneous. Ryan v. Thurston, 276 Md. 390, 392 (1975). Moreover, it is incumbent upon this court, in its appellate capacity, to consider the evidence produced at trial in the light most favorable to the prevailing party, i.e., St. Paul. If substantial evidence was presented to support the trial court's decision, it cannot be deemed clearly erroneous, and must not be disturbed on appeal. Id. As the trial court is the judge of the weight of the evidence, the appellate court may not substitute its judgment for that of the trial court. Id.

With respect to questions of law, the reviewing court must, of course, decide whether legal questions were properly resolved. Thus, where the determination is one involving a conclusion of law, the clearly erroneous standard does not apply. "The lower court's interpretations of law enjoy no presumption of correctness on review: the appellate court must apply the law as it understands it to be." Rohrbaugh v. Estate of Stern, 305 Md. 443, 447 (1986).

Discussion

At trial, Dessesauere testified that she had leased the Apartment for a period of one year commencing April 18, 1988. T.7. She stated that on April 18, 1989 she appeared in rent court for non-payment of rent and that a judgment was entered against her. She further testified that on May 5, 1989, she was arrested and held at the Baltimore City Jail until an unspecified date in June, 1989. T.40. Dessesauere stated that when she went to jail her furniture was in the Apartment, but when she was released from jail, the furniture was gone. T.40.

Donna Brissey ("Brissey"), manager for St. Paul of the apartment building at 1748 Park Avenue, testified that she was present at the rent court proceeding against Dessesauere, and that the judge granted Dessesauere a one week stay in which to vacate the Apartment. T.48. Brissey further stated that approximately two weeks later, she returned to the Apartment to collect the rent, and found the Apartment unlocked and vacant. Brissey indicated that it appeared as though someone had moved. T.49. Brissey also testified that she had been in the Apartment on several occasions between April, 1988 and May, 1989 to collect the rent and had not observed any furniture present in the Apartment.

Timothy Casey ("Casey"), assistant property manager for St. Paul, corroborated Brissey's testimony that there was no furniture in the Apartment. T.55. He stated that he would

have been involved in any eviction proceeding involving Dessesauere, and, to his knowledge, she was not evicted from the Apartment. T.54,55. He further testified that he inspected the Apartment prior to its re-rental in May, 1990, and saw no furniture in it. T.55.

No other evidence was presented at trial by either party. Based on the oral testimony, Judge Bass found that Dessesauere had not proved her case against St. Paul. T.58. Accordingly, judgment was entered in favor of St. Paul. T.58.

Dessesauere's only evidence of the existence of the furniture was her oral testimony.¹ Even assuming the furniture was there at some point, she did not meet her burden of proving that it was St. Paul which removed the furniture. Based on all of the evidence before it, the trial court was unable to conclude that there ever was any furniture, and what, if anything, happened to it. T.58. Further, the trial court indicated that it believed the testimony produced for the Defendant more than that offered by Dessesauere. T.59.

The record clearly supports the trial court's conclusion, and there is no reason or basis to disturb the trial court's decision. As Maryland Rule 1386 makes clear, on review of a

1. Dessesauere testified that all of the furnishings for the Apartment had been purchased brand new. T.18. She valued the furniture at \$3155, T.36, and offered an itemized list of the missing items. T.57

district court decision, "due regard [is to] be given the opportunity of the lower court to judge the credibility of the witnesses." This court will not invade the province of the trial court. Moreover, this court could not say from the record that the trial court's determination was clearly erroneous or incorrect as a matter of law.

Based on the testimony at trial, and the absence of any other proof, the trial court, having had the opportunity to weigh the evidence and consider and judge the credibility of the witnesses, concluded that Dessesauere had not proven her case and appropriately entered judgment for the Defendant. It is certainly very unfortunate that Dessesauere lost her furniture. But this court cannot, as a matter of law, overrule the trial court's decision, in the absence of some error by the trial court. No error can be found.

Therefore, for the foregoing reasons, it is this 16th day of January, 1991, by the Circuit Court for Baltimore City,

ORDERED that the judgment of the District Court in favor of Appellee be, and the same hereby is, AFFIRMED.

Costs to be paid by Appellant.


Ellen L. Hollander, Judge

cc: Ms. Yvonne Dessesauere
Hyman Cohen, Esquire
Attorney for Appellee

HYMAN K. COHEN

Attorney at Law

HYMAN K. COHEN *

(AREA CODE) 301)

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514 St. Paul Street

BALTIMORE, MARYLAND 21202-2282

* (ADMITTED IN MARYLAND AND D. C.)

FILED

AUG 1 1990

July 31, 1990

CIRCUIT COURT FOR
BALTIMORE CITY

Clerk, Circuit Court for Baltimore City
Civil Division
Room 462 Court House East
Baltimore, Maryland 21202

Re: Yvonne Dessesauere v. St. Paul Rentals
Case Number 90211028/CL117260

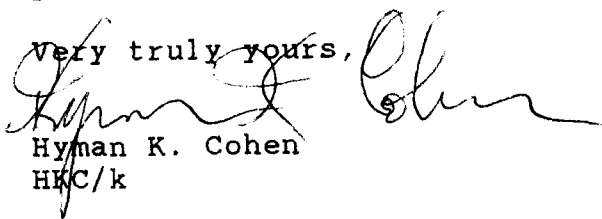
Madam Clerk:

This letter will acknowledge receipt of your notice of the delivery of the "Original Papers and Transcript of Testimony in the above entitled case" from the District Court of Maryland, District No. 1 to you. On behalf of the Defendant, St. Paul Rentals, the undersigned counsel requests the opportunity to present "Oral Argument" rather than to have the appeal decided by the court without argument.

A copy of this letter is being forwarded to the Plaintiff who had appeared before the District Court of Maryland for Baltimore City in proper person.

If you have any questions or comments concerning this letter, please do not hesitate to communicate with me.

Very truly yours,


Hyman K. Cohen
HKC/k

cc: Ms Yvonne Dessesauere
Mr. T. J. Casey, Jr.

APPEALED
5-31-90

EXPIRES
7-30-90 40525



DISTRICT COURT OF MARYLAND FOR BALTO. CITY

Located at 501 E. FAYETTE ST. Case No. 1011-90
Court Address (M/V - Criminal - Civil)

YVONNE DESSESURE

VS.

SAINT PAUL RENTALS

Full Name of Plaintiff(s)

Full Name of Defendant(s)

REQUEST FOR CASSETTE/TRANSCRIPT

Please prepare a cassette/transcript of the above entitled case and bill to:

YVONNE DESSESURE
Name
3748 OLD YORK RD 3RD FLR.
Number and Street Apt.#
BALTO. MD. 21218
City State Zip

6-11-90
Date

YVONNE DESSESURE
Signature of Applicant Telephone

TRANSCRIBER INFORMATION

Court Location CIVIL Trial Date 5-31-90
Appeal Date (If Applicable) 5-31-90 Judge BASS
Att'y for Pltf. — Att'y for Deft. H. COHEN

Reel No. 75194 Beginning 1553 Ending 2292
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IN THE DISTRICT COURT FOR BALTIMORE CITY

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YVONNE DESSESAURE

VS

CASE NO. 01011-90

ST. PAUL RENTALS

The above captioned case came on
for trial on May 31, 1990.

BEFORE:

The Honorable H. Gary Bass

APPEARANCES:

Yvonne Dessesaura
(in Proper Person)

Hyman K. Cohen, Esquire
(for the Defendant)

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<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
YVONNE DESSESAURE	-21-	-38-		
DONNA BRISSEY	-46-			
TIMOTHY CASEY	-53-			

P R O C E E D I N G S

1
2 COURT: Be seated please. Good morning, Mr.
3 Cohen.

4 MR. COHEN: Good morning, Sir.

5 COURT: You are Ms..Do you pronounce this..

6 MS. DESSESAURE: Dessesasure.

7 COURT: Okay. The reason why I took a little
8 break - I was just reading the file to see what the
9 story is. I know that you..you were suing St. Paul
10 Rentals. Is that right?

11 MS. DESSESAURE: Right.

12 COURT: And I know the case came before Judge
13 Gatewood.

14 MS. DESSESAURE: Right.

15 COURT: And the problem as I understand it
16 from Mr. Cohen's motion is that you haven't answered
17 these questions that he..he proposed to you.

18 MS. DESSESAURE: No. At that particular
19 point in time..Well, thirty days ago or whatever...

20 COURT: Well see Maam. Listen to me.

21 MS. DESSESAURE: ..I hadn't answered them.

22 COURT: Have you answered them yet?

23 MS. DESSESAURE: Yes, Sir.

24 COURT: Have you gotten them?

25 MS. DESSESAURE: I had mailed in copies,

1 duplicate copies, to Judge Gatewood also with all of
2 the file and all the other information too.

3 COURT: Did you get any answers? We didn't.

4 MR. COHEN: Your Honor, I'm..I'm not going to
5 stand before the Court and tell you that I did not. I
6 received and I will show you what I received in an
7 envelope the day after I filed my second motion for
8 sanctions. I received documents in the mail which I do
9 not feel meet the requirements. Here's the envelope in
10 which they arrived. They are not under affidavit and
11 not signed. It's not..

12 MS. DESSESAURE: See. What happened is they
13 had postponed..He had sent those..sent the letter to
14 me. Something about motions..an affidavit or whatever
15 it was. I didn't understand it. I didn't know
16 anything about it. The judge by me not being
17 professional or anything or whatever..

18 COURT: Why didn't you get a lawyer? Any
19 reason why?

20 MS. DESSESAURE: Well, I have all that..I can
21 start from the beginning and tell you everything..

22 COURT: Well, don't.

23 MS. DESSESAURE: ..about the case. The whole
24 case, Your Honor.

25 COURT: I don't care about..No. But is there

1 COURT: I don't care about..No. But is there
2 a reason why?

3 MS. DESSESAURE: Yes, Sir. Well, okay. Let
4 me..Let me just..

5 COURT: We don't care about the case at this
6 point.

7 MS. DESSESAURE: Oh.

8 COURT: The only..All we..The only reason
9 why..

10 MS. DESSESAURE: The reason why I didn't get
11 an attorney..Well, was because I could not afford one
12 and the two efforts that I had..I tried..I've got..I've
13 got everything here that can tell it to you better
14 than..See, I had..

15 COURT: I'm not going to go reading through
16 all of that stuff, Maam.

17 MS. DESSESAURE: Well, this is..this is..This
18 is legal representation from the Maryland Volun..I
19 didn't have any money. This was dated January 2nd,
20 1990. Legal representation where it says we can't
21 assist you. Unable to provide you with an attorney for
22 your type of case is not in the area of law for which
23 we provide representation. Okay. That's one thing.
24 On June..

25 COURT: Here's your question. Although the

1 MR. COHEN: It could be, Your Honor.

2 COURT: Okay. Let me ask you something,
3 Maam. You're..You're asking for three thousand and
4 some dollars. Is that what it was?

5 MS. DESSESAURE: Yes, Sir.

6 MR. COHEN: \$3155.

7 COURT: What is it that you're claiming that
8 St. Paul Rentals did wrong to you?

9 MS. DESSESAURE: See, you didn't have
10 anything..

11 COURT: Just tell me in your own words. What
12 is it that you're saying they did wrong?

13 MS. DESSESAURE: Somehow or another..Okay. I
14 was renting the property at..I was renting at 1748 Park
15 Avenue.

16 COURT: Okay.

17 MS. DESSESAURE: I rented the property there
18 under what..I started my first agreement in April of..

19 COURT: What is it..Why..

20 MS. DESSESAURE: ..1988.

21 COURT: How did..

22 MS. DESSESAURE: I have to tell you..

23 COURT: No.

24 MS. DESSESAURE: I have to tell you all of
25 it.

1 it.

2 COURT: Alright.

3 MS. DESSESAURE: I have to tell you all of it
4 if you haven't seen it or anything.

5 COURT: Well, have we got the time to go for
6 about five or ten minutes? Let's hear what the story
7 is? Let me see..You go ahead.

8 MS. DESSESAURE: Okay. On April the 19th..

9 COURT: Are you there on a lease or what?

10 MS. DESSESAURE: I was on a lease.

11 COURT: Okay.

12 MS. DESSESAURE: Under a lease on April..This
13 is a rental allowance contract.

14 COURT: Okay.

15 MS. DESSESAURE: On April the 19th of 1988 I
16 was granted the..the..to be authorized an administrant
17 for the property, a political subdivision of the State
18 of Maryland, Yvonne Dessesasure, the recipient and the
19 Casey Properties, the landlord. This is an agreement to
20 rent the housing unit at 1748 Park Avenue, First floor.
21 I was receiving a limited amount of income. This is
22 a..This is a one year supple..assistance program which
23 allows a person to rent where they agree to rent me
24 \$125 a month and I pay a second portion of it. This
25 went on through, extended all the way through April--

1 COURT: Is it like section eight housing or
2 something?

3 MS. DESSESAURE: It's a subsidy. It's a
4 subsidy.

5 COURT: Okay. Okay.

6 MS. DESSESAURE: This went on through April
7 the 18th of 1989.

8 COURT: Alright.

9 MS. DESSESAURE: I took the agreement April
10 19th, 1988. It went through the allowance of April
11 18th, 1989.

12 COURT: Okay.

13 MS. DESSESAURE: Upon April 18th, 1989 I
14 really had not..I really had to decide how I was going
15 to go about relocating or whatever.

16 COURT: Okay.

17 MS. DESSESAURE: Not to pay off the
18 properties because it was far more than I could
19 afford..

20 COURT: Okay. I've got the picture.

21 MS. DESSESAURE: ..at that particular point
22 in time.

23 COURT: I've got the picture. Okay.

24 MS. DESSESAURE: So, I was planning on trying
25 to move. I was..Supposedly I had arranged it where I

1 was going to move in with somebody..

2 COURT: Okay.

3 MS. DESSESAURE: ..which did not work right.
4 Which did not work or whatever. Now this went on..This
5 was from the first of the month to the third. I was
6 allowed like a few days or something to see - wait and
7 see if the woman would get back in touch but she
8 didn't..I didn't get in touch with the lady to move.
9 So I was going to automatically pay them whatever..I
10 only..I had only owed a balance of like three..You
11 know. I had only owed half of this portion of \$300.
12 Okay. I was going to go ahead on and pay them. You
13 know. Go ahead on and pay them after the whole
14 judgement didn't go through and I couldn't..And I had
15 excess amount of money. I couldn't find the..I
16 couldn't find a place to move right away and take the
17 pay..pay whatever monies I had to pay..all the money to
18 pay.

19 COURT: How do you get the \$3000 that you're
20 suing these people for?

21 MS. DESSESAURE: Okay. All of my furniture,
22 my properties and things, was there at..on St. Paul or
23 Park Avenue and they..Somehow or another - I was not
24 there when the woman moved there..when the woman came
25 in there and they took my stuff out of there or

1 something. I had sent a letter to the people..

2 COURT: Were you evicted from there?

3 MS. DESSESAURE: I was..See, what happened..I
4 had gotten..

5 COURT: Maam..

6 MS. DESSESAURE: ..arrested.

7 COURT: For what?

8 MS. DESSESAURE: I got arrested what they
9 termed it..

10 COURT: For what, Maam?

11 MS. DESSESAURE: The whole..It was supposed
12 to have been breaking and entering but it turned to be
13 malicious destruction or something like that. She
14 thought that I was not living there..

15 COURT: Okay. Okay.

16 MS. DESSESAURE: ..because somebody..one of
17 the tenants..All of this is in a letter and stuff like
18 that that I sent in here to Judge Askew.

19 COURT: How did you get the \$3000? Go ahead.
20 Tell me what happened.

21 MS. DESSESAURE: Okay. I had all of these..I
22 have to show you something. I have to show you.

23 COURT: Did you serve time for the breaking
24 and entering?

25 MS. DESSESAURE: This is..No, Sir.

1 COURT: Were you found guilty?
2 MS. DESSESAURE: No, Sir.
3 COURT: Were you given probation?
4 MS. DESSESAURE: No, Sir.
5 COURT: Were you found not guilty ?
6 MS. DESSESAURE: Yes, Sir.
7 COURT: Congratulations.
8 MS. DESSESAURE: Thank you.
9 COURT: Okay.
10 MS. DESSESAURE: What happened..I had all of
11 those things..All of my brand new..
12 COURT: Right.
13 MS. DESSESAURE: If you can just glimpse at
14 one of those letters.
15 COURT: Okay. Okay. And what happened to
16 the stuff?
17 MS. DESSESAURE: Well, I don't know. This
18 lady here, Ms. Brissey, I spoke with her. I called her
19 while I was incarcerated..
20 COURT: Well you told me you weren't
21 incarcerated. Do you mean awaiting trial?
22 MS. DESSESAURE: Yes, Sir.
23 COURT: Okay. How long did you stay in jail
24 awaiting trial?
25 MS. DESSESAURE: Thirty days.

1 COURT: What was your bail?

2 MS. DESSESAURE: I don't know what the amount
3 of the bail was.

4 COURT: Well, in order for them to set a bail
5 for breaking and entering must have meant you had a
6 prior record. Right?

7 MS. DESSESAURE: No, Sir. What..What do
8 you..No, Sir. It was no..It was..

9 COURT: They wouldn't have set a bail.

10 MS. DESSESAURE: It was a..It was a bail or
11 something. I didn't have any money with me.

12 COURT: What is your criminal record like?

13 MS. DESSESAURE: Sir?

14 COURT: What is your criminal record? What
15 have you been convicted of since your eighteenth
16 birthday?

17 MS. DESSESAURE: I don't have a criminal
18 record.

19 COURT: Then they wouldn't have set a bail
20 for you for breaking and entering on the first offense.
21 So you're not telling me the..

22 MS. DESSESAURE: Well, the lady made a
23 mis..The officer made a mistake.

24 COURT: What was the mistake?

25 MS. DESSESAURE: The officer did not know I

1 was living there. I had called the officer prior to
2 that time..

3 COURT: I'm asking you again. What's your
4 criminal record? What have you been convicted of?
5 I can get it in two seconds. Do you want me to do
6 that? What's your social security number?

7 MS. DESSESAURE: I wish..

8 COURT: I want to know from you, Maam, what
9 your criminal record is.

10 MS. DESSESAURE: I don't have a criminal
11 record.

12 COURT: What's your social security number?

13 MS. DESSESAURE: I don't know about it if I
14 have..If you call that a criminal record that's what..I
15 don't know how I'm supposed to respond to that.

16 COURT: No. Not the breaking and entering.

17 MS. DESSESAURE: Now if you call that a
18 criminal record that's...

19 COURT: What have you been convicted of since
20 your eighteenth birthday?

21 MS. DESSESAURE: I hadn't been convicted of
22 it.

23 COURT: Okay. What's your social security
24 number?

25 MS. DESSESAURE: 212..

1 COURT: Right.

2 MS. DESSESAURE: 76-3595. And Sir, please..

3 COURT: Okay.

4 MS. DESSESAURE: I don't know for what
5 purpose you might need it for your own purposes but I
6 would please if..

7 COURT: No. No. Because it goes to your
8 credibility..

9 MS. DESSESAURE: ..I don't have to have it to
10 the whole court for this particular case.

11 COURT: Well, you just told us you have no
12 record. It goes to your believability. You just told
13 us that you..

14 MS. DESSESAURE: Well, I don't know..I don't
15 know what you..whether you're calling that a record or
16 whatever.

17 COURT: Well, Maam. Either you do or you
18 don't.

19 MS. DESSESAURE: Well, I was arrested and
20 locked up and stayed in there for thirty..

21 COURT: Not counting this. We're not going
22 to count that one. Because you told us you were found
23 not guilty. Isn't that what you're telling us?

24 MS. DESSESAURE: Right.

25 COURT: And you have no other criminal

1 record. Is that what you're telling us?

2 MS. DESSESAURE: What..I don't know. I don't
3 understand what you're saying.

4 COURT: I think you do, Maam.

5 MS. DESSESAURE: Well, you can get..I don't
6 mind whatever you can get or whatever. But if I would
7 please for my own..my own personal purposes or whatever
8 I would choose that you not share it with the entire
9 court.

10 COURT: But there's nothing to share if you
11 say you have no criminal record.

12 MS. DESSESAURE: Well, I've been arrested
13 before.

14 COURT: Well that's what I asked you.

15 MS. DESSESAURE: Yes, Sir. I've been..

16 COURT: Not counting this. See..I..Go ahead.
17 You keep going, Maam.

18 MS. DESSESAURE: I..That's what I'm saying.
19 I don't know what..I don't know what..I don't know what
20 you're trying to..what you're trying to arrive at. I
21 don't want to..I don't want to..

22 COURT: I'm trying to avoid having to dismiss
23 your suit which is what..what the Plaintiff..what the
24 Defendant has..has filed a motion for. And also a
25 motion for sanctions..for money too. Right?

MR. COHEN: Two times, Your Honor.

1
2 COURT: Keep going, Maam. Tell me how you
3 get to the money. What happened? So you got out of
4 jail and your stuff was sold. Is that what you're
5 telling us?

6 MS. DESSESAURE: It was gone. It was gone.

7 COURT: Alright. How long was your lease
8 for?

9 MS. DESSESAURE: One year.

10 COURT: Okay. Had you..Do you know what
11 happened basically?

12 MR. COHEN: Her lease terminated, Your Honor.
13 She didn't pay rent.

14 COURT: Uh huh.

15 MR. COHEN: Filed a rent notice in court
16 thereafter. She requested one week to move. A
17 judgement for the Plaintiff. Restitution of the
18 property. She requested a week to move. The landlord
19 knowing he couldn't have her put out within the week
20 granted the week. Went back two weeks later and
21 nothing was there. Rerented the property.

22 COURT: Was there any furniture there?

23 MR. COHEN: There was never..She didn't have
24 any furniture in the first instance but there was no
25 furniture there when they rerented the property. The

1 premises were vacant.

2 COURT: Okay.

3 MS. DESSESAURE: That's not true, Your Honor.
4 Because I had..

5 COURT: Well how do you know if you were in
6 jail, Maam?

7 MS. DESSESAURE: Well that's what I was
8 saying. I should..See what I'm asking you, Sir..

9 COURT: Is it possible..Yeah?

10 MS. DESSESAURE: ..all that stuff..

11 COURT: Who wrote it?

12 MS. DESSESAURE: You haven't seen it.

13 COURT: Who wrote it, Maam?

14 MS. DESSESAURE: I did. I did.

15 COURT: Well why don't you just tell me about
16 it?

17 MS. DESSESAURE: Well, I can't tell you what
18 it says word for word on there. It's written on there.

19 MR. COHEN: Well, I object, Your Honor.
20 That's self-serving.

21 MS. DESSESAURE: And he has a copy. He has a
22 copy of the same information. And Mr. Casey at that
23 address received a copy on that..mailed and dated from
24 that date which at first we couldn't get any response.
25 That's one reason why I couldn't get another attorney

1 in here because I had..I had proof that..And most of
2 that stuff in there..A lot of those..Most of my
3 items..All of my items..Those things were brand new. I
4 had lots of brand new..Everything in there was very
5 expensive and bought brand new because right back
6 in..on April the 4th of 1988 I had..I got a tort
7 settlement sheet here from the law offices of Wartzmam,
8 Rombro and Omansky and those people there and I bought
9 everything in that apartment brand new. It was a brand
10 new apartment and everything else in there..and the
11 furniture and stuff in there was brand new besides a
12 few transferred things that I had to transfer over to
13 the apartment with me. I couldn't never get..I asked
14 Mr. Wartzman and them earlier - way back sometime could
15 they look into the case for me or something but he
16 couldn't ever get a response. We had several different
17 - unable to serve, unable to serve and different things
18 like that about the whole case.

19 COURT: Do you work, Maam?

20 MS. DESSESAURE: No, Sir. I'm receiving
21 disability. Supplementary income. Disability
22 benefits.

23 COURT: What's the nature of your disability?

24 MS. DESSESAURE: A..I have like a past
25 history of schizophrenia.

1 COURT: Okay. See. Here's the problem, Mr.
2 Cohen. If the case were in for trial I wouldn't have
3 any problem. But the case isn't in for trial. The
4 case is just in for..

5 MR. COHEN: We're ready for trial, Your
6 Honor. We never..Filed a motion for sanctions.

7 MS. DESSESAURE: I hope I'm not..I hope I'm
8 not..That's what I'm saying. Why I wanted to be
9 cautious and what's going..See, I don't know what
10 you're doing.

11 MR. COHEN: Your Honor..

12 COURT: If you withdraw the motion for
13 sanctions I'll put it..go ahead with the trial. Would
14 you do that?

15 MR. COHEN: May I first make a statement?

16 COURT: Sure.

17 MR. COHEN: When we were in court on April
18 the 25th Judge...

19 COURT: Gatewood.

20 MR. COHEN: ..Gatewood spent ten minutes
21 explaining to Ms. Dessesature that she should have an
22 attorney, she should have answered the
23 answers..answered the interrogatories. Or that she
24 should amend her claim so that she would not be
25 required to file answers to interrogatories. This is..

1 COURT: You mean downward to \$2500.

2 MR. COHEN: Downward so we would have been in
3 small claims.

4 COURT: Right.

5 MR. COHEN: We spent ten minutes out in the
6 corridor. I explained to her again. I then sent her a
7 letter again explaining - on April the 26th I sent her
8 a letter, a two-page letter. I sent her copies of the
9 answers to interrogatories.

10 MS. DESSESAURE: I had to do this because
11 then I tried another..

12 COURT: Are you satisfied with the
13 interrogatories?

14 MS. DESSESAURE: ..the Maryland
15 Referral..Lawyer Referral Services. All of that..

16 MR. COHEN: No. I'm not. But I will
17 withdraw the motion for sanctions and we'll go to
18 trial.

19 COURT: Come on up. We're going to go to
20 trial. All those who are going to testify want to come
21 on up here and raise your right hands please? Alright.
22 He's going to withdraw the motion for sanctions. He
23 wanted you..He wanted the case to..Mr. Cohen wanted the
24 case dismissed and wanted you to pay money for his
25 attorneys fees for having to come here twice at least.

1 But he's going to re-call that. I think one of the
2 reasons is because you did answer and although you
3 didn't sign it and it's not under affidavit I think you
4 did your best. I really do. Okay?

5 MS. DESSESAURE: Yes, Sir.

6 COURT: So now we're going to go to trial.
7 Alright. Do you want to raise your right hands please?

8 ALL TO TESTIFY ARE SWORN

9 Whereupon,

10 YVONNE DESSESAURE

11 was called as a witness on behalf of the
12 Plaintiff, and having been sworn, was
13 examined and testified as follows:

14 DIRECT EXAMINATION

15 COURT: Okay. Maam, do you want to state
16 your name? What is your name?

17 MS. DESSESAURE: Ms. Yvonne Dessesaura.

18 COURT: Okay. And you're suing St. Paul
19 Rentals. Mr. Cohen, you represent St. Paul Rentals?

20 MR. COHEN: Yes, Your Honor. Hyman K. Cohen
21 representing the Defendant, St. Paul Rentals.

22 COURT: The \$3155. Is that right, Maam?

23 MS. DESSESAURE: Yes, Sir.

24 COURT: Okay. Could you please tell us what
25 it is that..why you feel that they owe you the money?

1 MS. DESSESAURE: Well..

2 COURT: Okay.

3 MS. DESSESAURE: I just don't know what..As I
4 said, Your Honor..

5 COURT: Now wait a minute. Before we start.
6 Let me just..Just one thing. Just one thing. I've
7 read through the file and I've read through..Judge
8 Gatewood's got extensive notes here. And he..he told
9 you several times. He advises you to get a lawyer.

10 MS. DESSESAURE: He postponed it..I didn't
11 know about..I thought I was supposed to come to court.
12 I did get the motion for sanctions that he had.

13 COURT: Right.

14 MS. DESSESAURE: ..on..I mean..You know.
15 What you call it?

16 COURT: Right.

17 MS. DESSESAURE: I did get this that I'm
18 supposed to respond to the..

19 COURT: Okay. Interrogatories.

20 MS. DESSESAURE: Interrogatories.

21 COURT: Right.

22 MS. DESSESAURE: I did get that letter but
23 when I appeared in court back on..the last appearance
24 at whatever date that was.

25 COURT: I think it was in March. Was it

April?

1 MR. COHEN: April 25.

2 COURT: April 25th.

3 MS. DESSESAURE: April 25.

4 COURT: Yeah.

5 MS. DESSESAURE: I thought I was supposed
6 to..From the way I read it and I got to understand I
7 thought I would just come to..supposed to have this
8 stuff when I come to court and do it that way. But the
9 judge allowed me since I didn't know that I was
10 supposed to answer them in writing before the trial
11 date he allowed me the time to get to the..I mean to
12 write..to answer the interrogatories and to perhaps
13 find a lawyer since those were the terms and legal
14 terms that I could not..

15 COURT: Well he's..He's going to..He's
16 withdrawing his motion for sanctions.

17 MS. DESSESAURE: ..that I didn't know
18 anything about. Okay.

19 COURT: Okay.

20 MS. DESSESAURE: He advised me that I should
21 get a..try to get an attorney.

22 COURT: And you didn't.

23 MS. DESSESAURE: On June the 6th of 1989..

24 COURT: Last year?
25

MS. DESSESAURE: Yes, Sir.

COURT: Because we're..

MS. DESSESAURE: I first went to Legal Aid.

MR. COHEN: Objection, Your Honor.

MS. DESSESAURE: See, I got everything on the motions..

COURT: Alright. That's alright. I'll overrule the objection. Yes.

MS. DESSESAURE: ..for sanctions answered in question number four..

COURT: Okay. Maam, let's just go on and we'll go right into the case. Don't worry about any of that stuff. Okay? We're going to go right into the case. Why is it that you claim that St. Paul Rentals owes you \$3155? What's your full name?

MS. DESSESAURE: Yvonne Dessesaura.

COURT: And where are you currently living?

MS. DESSESAURE: Yvonne Dessesaura or Yvonne Dessesaura.

COURT: Okay. And where are you currently residing, Maam?

MS. DESSESAURE: 3748 Old York Road.

COURT: Okay. What floor? I know the building.

MS. DESSESAURE: Third floor.

1 COURT: You're renting that?

2 MS. DESSESAURE: Right.

3 COURT: Okay. That's 21218. Right?

4 MS. DESSESAURE: Right.

5 COURT: How long have you been there? Since
6 you moved out of St. Paul or since you..

7 MS. DESSESAURE: Yeah. Well no. Not since I
8 moved out of St. Paul because everything..I didn't have
9 anything..When I moved out of St. Paul..When I came
10 from home out of the thirty days waiting trial period.

11 COURT: When you got out of jail in other
12 words.

13 MS. DESSESAURE: Right.

14 COURT: Yeah.

15 MS. DESSESAURE: I got out of jail..Well, I
16 knew..I had talked to Ms. Brissey on..back in here on
17 April..

18 COURT: Just tell me..Alright. Forget that.
19 I'm sorry I asked that.

20 MS. DESSESAURE: I talked to her and asked
21 her about it and she told me over the phone that my
22 things had been evicted.

23 COURT: Alright. Ms..

24 MS. DESSESAURE: And that she was keeping
25 them in personal storage for me and when I returned

1 home from out of the prison I was supposed to..

2 COURT: Alright. Hold off for one second.
3 Is that possibly true? Alright. No problem. Okay.
4 Maam, listen to me. Your..When did you move into
5 the..into St. Paul..I mean Park Avenue? When did you
6 first move in there?

7 MS. DESSESAURE: I moved in there on..I
8 imagine it was April the 19th.

9 COURT: By the way which judge do we have to
10 thank for this? This is Judge..

11 UNKNOWN: Gatewood.

12 COURT: Okay.

13 MS. DESSESAURE: See, I can..I can tell
14 you..I can read it off here right down here.

15 COURT: No. Oh, Judge Davis? Okay.

16 MS. DESSESAURE: I had to get the people to..

17 COURT: No problem. No problem, Maam. No
18 problem.

19 MS. DESSESAURE: ..people to..professional
20 people to get it for me since I couldn't get the
21 attorney to get it or whatever..get an attorney.

22 COURT: When did you move in, Maam, to Park
23 Avenue?

24 MS. DESSESAURE: Approximately April the
25 19th.

C
1 COURT: Of what year?

2 MS. DESSESAURE: 1988.

3 COURT: Okay. And you were on a one year
4 lease?

5 MS. DESSESAURE: Right.

6 COURT: And you've already explained to us
7 previously that the government was supplementing some
8 of it. Right? Or some program was.

9 MS. DESSESAURE: Correct. That's correct.

10 COURT: Like a section eight but not exactly.

11 MS. DESSESAURE: That's correct.

12 COURT: Is that right? Okay. So April 19th,
13 '88. And..And what happened to cause you to leave Park
14 Avenue?

15 MS. DESSESAURE: Well, what had happened I
16 had..When I went out on..

17 COURT: Hang in there. We have to do it this
18 way.

19 MS. DESSESAURE: I'll tell you what happened
20 to cause me to leave. What happened that caused me to
21 leave on approximately 5/7..I mean 5/5 0120 hours 1748
22 Park Avenue the office..I called the office..

23 COURT: Do me a favor. What day did you go
24 out of there? What caused you to leave?

25 MS. DESSESAURE: June the..Which..

1 COURT: You were in there May..

2 MS. DESSESAURE: I had never moved nothing
3 out of there. I ain't never moved nothing out of
4 there. I got arrested and the officers and everybody
5 left all of things in there and locked up the doors and
6 took the keys with me and took them to jail with me.

7 COURT: Maam, listen. April 19th, '88 you're
8 in there. Right? You're paying rent. Is that right?

9 MS. DESSESAURE: Right.

10 COURT: How much rent are you paying a month?

11 MS. DESSESAURE: \$275 a month.

12 COURT: Okay. Did you keep paying the rent
13 every month?

14 MS. DESSESAURE: Yes, Sir.

15 COURT: Did you go to rent court?

16 MS. DESSESAURE: Yes, Sir.

17 COURT: Why did you go to rent court if you
18 kept paying the rent?

19 MS. DESSESAURE: On a..On a non-payment of
20 rent.

21 COURT: So in other words there came a time
22 when you..when you didn't pay the rent. It's either
23 yes or no, Maam. Did they enter a judgement against
24 you in rent court?

25 MS. DESSESAURE: No. See, you're telling me

1 to say yes or no and then you're telling me something
2 else.

3 COURT: Well, Maam. Did they enter a
4 judgement against you in rent court?

5 MS. DESSESAURE: Yes.

6 COURT: Okay. What month was that?

7 MS. DESSESAURE: Sir?

8 COURT: When was that, Maam?

9 MS. DESSESAURE: In April. See that's what
10 I'm..That's why I'm getting these papers here.

11 COURT: But you moved in in April. April of
12 what year?

13 MS. DESSESAURE: Of 1989.

14 COURT: Okay. In April of '89 you went to
15 rent court for non-payment of rent. Is that right?

16 MS. DESSESAURE: Yes, Sir.

17 COURT: Okay. Then what happened?

18 MS. DESSESAURE: And I don't want you to have
19 me standing up here and keep saying yes sir and yes to
20 everything you want me to say..

21 COURT: That's okay.

22 MS. DESSESAURE: ..without telling you or
23 showing you what I have here written down because then
24 you're going to tell me that I did say yes to something
25 else and I'm saying yes and agreeing to dates and times

and when I don't know it and don't have it..

1
2 COURT: Show it to Mr. Cohen. Okay. Why
3 don't you show it to Mr. Cohen?

4 MS. DESSESAURE: Can't show it to you there
5 like that.

6 COURT: Okay. Okay.

7 MS. DESSESAURE: I don't want you to just say
8 I'm saying yes to the things. I'm saying yes to it
9 because I know personally what happened. I know what's
10 right or wrong but I got these papers here and it's
11 written down here to see.

12 COURT: Let me ask you another question why
13 may or may not be relevant. When were you last..You
14 tell me that you're on disability for schizophrenia.
15 Is that right?

16 MS. DESSESAURE: Right.

17 COURT: When were you last treated for that?

18 MS. DESSESAURE: When was I last treated?

19 COURT: Yes, Maam.

20 MS. DESSESAURE: Well, I was last
21 treated..Let's just say about a month ago.

22 COURT: Okay. Do they give you medication
23 for it? Is that what's happening?

24 MS. DESSESAURE: Well, I wouldn't really
25 say..I mean I don't say what..No, Sir. I..I..My

1 treatment is more or less..more as a counselling type
2 of thing more so or more or less like..

3 COURT: They sit down and talk with you.

4 MS. DESSESAURE: Yes, Sir.

5 COURT: Okay. Okay. Well, what you've shown
6 me shows that you owed one month rent April 1st of '89.
7 There was a judgement entered by I think it was Judge
8 McCurdy it looks like for \$300. Okay?

9 MS. DESSESAURE: Okay.

10 COURT: So on April 18th of '89 a judgement
11 was entered against you in rent court for \$300. Okay?

12 MS. DESSESAURE: Right.

13 COURT: And then you know what happens? I
14 think then they wait about a week and they can go to
15 the constable and get a put out. I think that's what
16 happens.

17 MS. DESSESAURE: Right.

18 COURT: And is that what happened?

19 MS. DESSESAURE: No, Sir. No. When I..When
20 I talked to the lady from the jail because I was so
21 worried about the things she..when I did finally talk
22 to her she told me - she said oh your things have been
23 evicted.

24 COURT: Alright.

25 MS. DESSESAURE: And I said what day did you

evict them?

1

COURT: Okay.

2

MS. DESSESAURE: She refused..kept refusing
to tell me all these different days.

3

4

COURT: Maam, let me ask you.

5

MS. DESSESAURE: She gave me one date and I
called the constable's office..

6

7

COURT: Maam..

8

MS. DESSESAURE: ..and they said they didn't
have no eviction scheduled that day because it had
rained that day and they didn't have no evictions
scheduled at all.

10

11

12

COURT: Maam..

13

MS. DESSESAURE: And they looked through the
whole book - through the whole month of May and
everywhere else because if they had of had from the
way..

14

15

16

17

COURT: Was the lady's name..

18

MS. DESSESAURE: ..I understand it my stuff
would have been placed somewhere..

19

20

COURT: On the sidewalk.

21

MS. DESSESAURE: ..away in the storage place
somewhere.

22

23

COURT: Maam, was it Ms. Pat Sturgill that
you talked to? Do you remember the name of the woman?

24

25

1 MS. DESSESAURE: What do you mean? In the
2 constable's office?

3 COURT: Yeah.

4 MS. DESSESAURE: No, Sir. I talked to about
5 two or three different people.

6 COURT: Okay. Now listen to me for a second.
7 Where were you sleeping when this occurred? You
8 weren't sleeping at Park Avenue. Is that right?

9 MS. DESSESAURE: What do you mean? When the
10 stuff got..When the stuff got missing?

11 COURT: Yes. Yes.

12 MS. DESSESAURE: I was incarcerated.

13 COURT: For what?

14 MS. DESSESAURE: Malicious destruction.
15 Breaking and entering. However you..

16 COURT: Of what residence?

17 MS. DESSESAURE: Now see I don't know if you
18 can get that now.

19 COURT: I don't..

20 MS. DESSESAURE: That's all I know is that
21 they arrested me and supposed to have been breaking
22 entering she said and then they turned around and said
23 well I wouldn't say that was no breaking and entering,
24 Miss, because the man..the woman lived there. I had
25 called the police and told them can they go around and

1 help me try to get into my place.

2 COURT: Alright. Maam, listen to me. Maam,
3 listen to me.

4 MS. DESSESAURE: Everything was still inside
5 the property.

6 COURT: Alright. Were you present in rent
7 court? Let me see.

8 MS. DESSESAURE: Yes, Sir, I was.

9 COURT: Yes. You did go to rent court.

10 MS. DESSESAURE: Yes, Sir.

11 COURT: So you knew there was a judgement
12 against you. Right?

13 MS. DESSESAURE: Yes, Sir.

14 COURT: Alright. Then there came a time when
15 the..you didn't pay the judgement. Is that right?
16 Because you couldn't afford it. I can understand that.
17 Right?

18 MS. DESSESAURE: Right. Well, I would have
19 had to afford..

20 COURT: Okay.

21 MS. DESSESAURE: I had the extra money to
22 afford it at that particular time but I knew the
23 following month...

24 COURT: Would be due again.

25 MS. DESSESAURE: And the following month I

1 would not...Because my contract for assistance that I
2 was receiving was going to terminate at the end of that
3 time.

4 COURT: So what happened..Okay. So the
5 constable showed up to evict you. Is that right?

6 MS. DESSESAURE: No, Sir. .

7 COURT: That's not right.

8 MS. DESSESAURE: No. That's not right.

9 COURT: Okay. What happened was around that
10 period of time you got locked up for malicious
11 destruction of property. Is that what you're telling
12 us?

13 MS. DESSESAURE: Correct. Or breaking and
14 entering. What appeared..What had appeared what
15 they..what they didn't know..All she knew was somebody
16 - they called the police and somebody had reported that
17 somebody was breaking in the door. Kicking
18 in..Breaking in the door.

19 COURT: So you stayed in jail thirty days?

20 MS. DESSESAURE: Right.

21 COURT: And when you got out of jail...

22 MS. DESSESAURE: But what I found out was he
23 told me that the landlord told him to call the police
24 and to change the locks.

25 COURT: Alright. So when you got out of jail

1 your property was gone. Is that what you're saying?

2 MS. DESSESAURE: That's correct.

3 COURT: And that's why..And you're saying the
4 property is worth \$3155?

5 MS. DESSESAURE: Yes, Sir.

6 COURT: Okay. And you contacted the
7 constable's office.

8 MS. DESSESAURE: Yes, Sir.

9 COURT: And they told you that they never
10 evicted you?

11 MS. DESSESAURE: Yes, Sir. That's correct,
12 Sir.

13 COURT: Well maybe there was no furniture to
14 be evicted. In other words if you didn't have any
15 furniture in there they couldn't..there's nothing for
16 them to take out.

17 MS. DESSESAURE: Well, I did have furniture
18 in there.

19 COURT: Is that..Is that poss..

20 MS. DESSESAURE: I did have furniture in
21 there.

22 COURT: Okay. Is there anything else you
23 want to tell us?

24 MS. DESSESAURE: No, Sir.

25 COURT: Alright. Have I gotten the gist of

1 it?

2 MS. DESSESAURE: Only..I had the..the
3 only..Like I said I put these people down here. All of
4 these people knows - these people - all of these people
5 here are people that knows about the actual incident.

6 COURT: I got you. But have I gotten the
7 gist of what you're saying? Have I got it right? I'll
8 tell you what. We'll let her testify some more if she
9 can think of something. Do you have any questions you
10 want to ask of her?

11 MS. DESSESAURE: I would just like to know
12 why I'm saying all of this what are they going to say.
13 That's what I'm saying. What are they saying?

14 COURT: We're going to find out. I have no
15 idea.

16 MS. DESSESAURE: Do you have it or you don't
17 have it or you do have it..

18 COURT: I don't have any idea either. But
19 Mr. Cohen is allowed to ask you questions now. Do you
20 have any questions? You can if you want. I don't know
21 any..

22 MR. COHEN: I might have one or two
23 questions.

24 MS. DESSESAURE: Sir, may I ask you
25 something?

1 COURT: Sure.

2 MS. DESSESAURE: I'm trying to find out what
3 is the problem here. Are you saying that you don't
4 have it or you did have it or what..

5 COURT: I have no idea. We're going to find
6 out. We're going to find out. Okay.

7 CROSS EXAMINATION

8 MR. COHEN:

9 Q. Ms. Dessesasure, what period of time were
10 you incarcerated? From what date until what date?

11 A. The actual date I was incarcerated..

12 COURT: Locked up.

13 MR. COHEN:

14 Q. You were in court on April the 18th -
15 rent court. Now when did you get locked up?

16 A. June the 5th through June 7th. June the
17 6th to June 7th. I couldn't find my calendar with me
18 today.

19 COURT: Okay. So from April the 18th until..

20 MS. DESSESAURE: It was about June the 5th I
21 think it was.

22 COURT: Okay. So for at least..For at least
23 two months you weren't locked up. From April to June
24 you were not locked up. Is that right? April, May,
25 June.

1 MS. DESSESAURE: From..From the 5th of June
2 until the 6th of June..

3 COURT: Or July.

4 MS. DESSESAURE: I mean no. I'm sorry. No.
5 No. No. No. No. No. You're getting me mixed up
6 here. Wait a minute. On May the 5th I got arrested
7 for breaking the lock.

8 COURT: Alright. So from..

9 MS. DESSESAURE: On May the 5th I got
10 arrested for breaking the lock.

11 COURT: Alright. May the 5th. So from April
12 18th until May the 5th where did you stay? On Park
13 Avenue?

14 MS. DESSESAURE: Park Avenue.

15 COURT: Every night you slept there?

16 MS. DESSESAURE: Yes, Sir.

17 COURT: Okay. And you're saying that the
18 constable never came to put you out?

19 MS. DESSESAURE: No, Sir.

20 COURT: Okay.

21 MS. DESSESAURE: If he did come to put me out
22 I never knew..They didn't..Nobody..They don't..She..The
23 lady here refused to even tell me a date that they had
24 evicted me or anything like that.

25 COURT: Okay.

1 MS. DESSESAURE: We went through the whole
2 month of May..

3 COURT: Then you came home one..

4 MS. DESSESAURE: ..the whole month of June
5 and found no..no person was evicted at Park Avenue.

6 COURT: Okay. Was your furniture still
7 there?

8 MS. DESSESAURE: No, Sir. When I got out of
9 jail..

10 COURT: No. When you went into jail was your
11 furniture there?

12 MS. DESSESAURE: Yes, Sir.

13 COURT: Okay. So when you went into jail on
14 May 5th your furniture was there.

15 MS. DESSESAURE: Yes, Sir.

16 COURT: And when you got out June let's say
17 5th your furniture was gone.

18 MS. DESSESAURE: Yes, Sir.

19 COURT: The \$3000 worth of furniture.

20 MS. DESSESAURE: Yes, Sir.

21 COURT: Okay. And as far as you know you
22 were never evicted.

23 MS. DESSESAURE: No, Sir.

24 COURT: But when you came home like in May
25 the lock was changed?

1 MS. DESSESAURE: No. No. No. No. I didn't
2 go back to there. I didn't go back there while
3 I..through the thirty days waiting trial period.

4 COURT: No. No. No. The house that you
5 were accused of breaking into. Is that the house..Is
6 that Park Avenue?

7 MS. DESSESAURE: Yes, Sir.

8 COURT: Okay. So there came a time when you
9 went to Park Avenue and the lock was changed.

10 MS. DESSESAURE: Yes, Sir. The outer door
11 lock was changed.

12 COURT: Okay. Now listen to me. Normally..

13 MS. DESSESAURE: Not the door to my
14 apartment. Not the door to my apartment. Just the
15 lock on the outside door was changed.

16 COURT: Okay.

17 MS. DESSESAURE: It appeared that probably
18 before they had some problems with the lock or whatever
19 - different people putting the lock..Well, the
20 lock..the door wouldn't lock for awhile or something
21 so..

22 COURT: So then you got accused of breaking
23 in there.

24 MS. DESSESAURE: Maybe they put the lock
25 on..A new lock on the door and fixed the lock..They

1 on..A new lock on the door and fixed the lock..They
2 might have just fixed the lock and when I got home
3 nobody was home..Well I..It might have been a key
4 under..Well, there was no key under the door when I
5 went inside my apartment either. They fixed the new
6 lock on the door and I wasn't home at the time when
7 they fixed it..

8 COURT: How about your..How about your
9 apartment lock?

10 MS. DESSESAURE: ..that day. Particular day.

11 COURT: How about your apartment..

12 MS. DESSESAURE: No. My apartment. I still
13 had access to the apartment.

14 COURT: Okay.

15 MS. DESSESAURE: I had access to my
16 apartment.

17 COURT: Okay.

18 MS. DESSESAURE: The officers came into my
19 apartment, looked around and saw all of my stuff in
20 there. The officers is the only persons that was in
21 there, that looked in there.

22 COURT: Okay. Let me ask you something. You
23 knew..You knew you lost in rent court. Right?

24 MS. DESSESAURE: Yes, Sir.

25 COURT: What did you think was going to

1 happen?

2 MS. DESSESAURE: Well, what was going to
3 happen was I was going to move.

4 COURT: Okay.

5 MS. DESSESAURE: That fouled up so I had to
6 pay the additional..I was going to have to pay the rent
7 for that month and look forward to moving the next
8 month.

9 COURT: Well how did you stay in there from
10 April 18th to May 5th?

11 MS. DESSESAURE: Well, by the 5th I
12 figured..See, I could pay it by the 5th.

13 COURT: How did you figure that?

14 MS. DESSESAURE: Well, because that's when it
15 was due, you know, up until..It's due up until that
16 time.

17 COURT: Well, I think what happens is it's
18 a..really it's a week before they can contact the
19 constable and then it's probably another week. Is that
20 right?

21 UNKNOWN: It takes usually three days.

22 MS. DESSESAURE: No. Well, I had spoke to
23 them about it. I had spoke to Ms. Brissey about it and
24 all. I spoke to her. I knew I had owed the rent and
25 everything but the thing about it I..

1 COURT: I think she might have had until
2 towards the end of April.

3 MS. DESSESAURE: ..didn't pay it was that..I
4 didn't pay it because I thought I had something else..

5 COURT: April 27th, 28th maybe. I don't
6 know.

7 MS. DESSESAURE: ..something else set up.

8 COURT: Anyway. Okay. Do you have any
9 questions, Mr. Cohen of her?

10 MR. COHEN: I have another question. Now I
11 think I've forgotten. Now you say that you..When you
12 went to rent court on May..on April the..

13 COURT: 18th.

14 MR. COHEN:

15 Q. 18th - did you not tell the judge that
16 you wanted one week and you would move?

17 A. I don't remember.

18 Q. You don't remember.

19 COURT: Could you have? Is it possible?

20 MS. DESSESAURE: I don't remember.

21 COURT: Maam, is it..

22 MS. DESSESAURE: No, Sir. Let me see.

23 COURT: .. possible?

24 MS. DESSESAURE: Oh, when I went on April the
25 18th?

1 COURT: Yeah.

2 MR. COHEN: To rent court.

3 COURT: Is it possible that you said I want
4 one week to rent..to leave?

5 MS. DESSESAURE: I don't kn..I don't
6 remember.

7 COURT: Okay.

8 MR. COHEN:

9 Q. One final question, Your Honor. Ms.
10 Dessesature, isn't it true that you were arrested for
11 assault on a police officer and that you were convicted
12 and found guilty and that's why you served thirty days?

13 A. No, Sir. No, Sir.

14 COURT: That's not true?

15 MS. DESSESAURE: No, Sir.

16 COURT: Okay. And..I'll tell you what. Do
17 you have any witnesses you want to put on? Maybe that
18 would help.

19 MR. COHEN: I would like to at this juncture
20 make a motion to..

21 COURT: Well, I'm going to deny it at this
22 point until I find out what the story is.

23 MR. COHEN: Yes. Alright. Thank you, Your
24 Honor.

25 Whereupon,

DONNA BRISSEY

1 was called as a witness on behalf of the
2 Defendant, and having been sworn, was
3 examined and testified as follows:
4

5 DIRECT EXAMINATION

6 MR. COHEN:

7 Q. Would you state your name please?

8 A. Donna Brissey.

9 COURT: I'm sorry?

10 MR. COHEN: Speak up.

11 MS. BRISSEY: Donna Brissey.

12 COURT: Okay.

13 MR. COHEN: B-R-I-S-S-E-Y.

14 COURT: Okay.

15 MR. COHEN:

16 Q. On April the 18th of 1989 by whom were
17 you employed?

18 A. Casey Properties.

19 Q. St. Paul Rentals?

20 A. St. Paul Rentals. Yes.

21 Q. And in that..And in what capacity were
22 you employed? Speak..What was your title?

23 A. Oh, the manager there. Resident agent.

24 Q. Okay. And what experience have you had
25 in real estate up..prior to April of 1989?

1 A. Had ten years experience.

2 Q. In what capacity?

3 A. As rental agent.

4 Q. As rental agent. Ms. Brissey, are you
5 familiar with the..personally familiar with the
6 Plaintiff, Ms. Dessesauré?

7 A. Yes, Sir.

8 Q. Were you the one who actually made
9 arrangements for her to rent the property at Park
10 Avenue?

11 A. Yes, Sir.

12 Q. And tell me, Ms. Brissey, was there a
13 lease?

14 A. There was a month to month lease.

15 Q. A month to month lease. You heard her
16 testify that she had a year lease. How..Can you
17 explain that?

18 A. It stated in the lease month to month.
19 She was subsidized through the state for six months.
20 They would pay half as long as she remained paying the
21 other half.

22 Q. Alright. And what happened after the six
23 months?

24 A. She was renewed again. Okay. They paid
25 their half. She was sued in rent court for her half.

1 Q. Alright. Now there came a time then,
2 April the 1st, 19..What was the rent on the apartment?

3 A. \$275 a month.

4 Q. There came a time April of 19..April the
5 1st of 1989 when rent proc..rent court proceedings were
6 filed against Ms...Ms. Dessesaure?

7 A. Yes.

8 Q. And did you attend the court on April the
9 18th, 1989?

10 A. Yes.

11 Q. You were there. And what happened in the
12 court other than that which we already know about on
13 the record?

14 A. She explained to the judge that day that
15 she could not afford the apartment. She wanted to
16 move. Asked the judge if she would gra..if he would
17 grant a one week stay. So he said..he asked me would I
18 agree. I said yes. I received a call from Ms.
19 Dessesaure asking me to..for the people that were
20 moving in - her telephone had not been turned off yet.
21 To please ask them not to have their phone put on yet
22 because hers had not been turned off yet. I agreed to
23 that.

24 Q. What was the next proceeding undertaken
25 by the landlord in reference to Ms. Dessesaure and her

1 property?

2 A. I went back two weeks later to collect
3 rent from upstairs. Nothing was there.

4 Q. Would that be about May the 1st?

5 A. It was around May the 1st. Yes.

6 Q. And when you say nothing was there did
7 you have access to Ms. Dessesauere's property?

8 A. The door was open.

9 Q. The door was open?

10 A. Yes, Sir.

11 Q. Was there any evidence of a break-in?

12 A. No. There was..It appeared someone had
13 moved. There was trash in the apartment. There was
14 still some food on a..in a frying pan on top of the
15 stove. But, I mean you could you tell it was old.
16 There was a lot of trash. That was mostly it.

17 Q. Now, Ms. Brissey..It is Mrs. Brissey, is
18 that correct?

19 A. Yes.

20 Q. How..Between the period of April 1988 and
21 April..the end of April or May, early May 1989 had you
22 had occasion to be in Ms. Dessesauere's apartment?

23 A. I had been there before. Yes.

24 Q. On how many occasions?

25 A. Several.

1 Q. What was the reason for your appearance
2 at her apartment?

3 A. To collect rent.

4 Q. To collect rent. Now could you describe
5 the furniture that you saw in her apartment?

6 A. There wasn't furniture. There were a lot
7 of boxes, bags. But at no time did I ever see any
8 furniture. I did see a lot of boxes though. There
9 was a lot of boxes there and a lot of bags. The
10 green..The green trash bags.

11 Q. When you were..Did you inspect the entire
12 apartment on those occasions or just..

13 A. Well, it was an efficiency. It's..

14 MS. DESSESAURE: Those things are not true.

15 MR. COHEN:

16 Q. It was an efficiency?

17 A. Yes. It's a..It's all on one floor.
18 Living room and kitchen together.

19 Q. Did you see a bed?

20 A. No, Sir.

21 Q. Was there a sofa bed?

22 A. No, Sir. I saw no furniture.

23 Q. No furniture.

24 MS. DESSESAURE: That's not true, Sir..Your
25 Honor.

1 MR. COHEN:

2 Q. Now, Ms. Brissey, I ask you on behalf of
3 the landlord following your visit to that property at
4 the end of April or early May of 1989.

5 COURT: Yes. Just..Just relax. Just relax.
6 Okay.

7 MR. COHEN:

8 Q. Did the landlord effect..request the
9 court for an eviction?

10 A. No, Sir.

11 Q. Now Mrs..Ms. Dessesauere, the Plaintiff,
12 has said that she spoke to you and told you..you told
13 her that you had her things. Could you tell us
14 what..When did..When did you first receive a telephone
15 call from the Plaintiff..

16 A. I received..

17 Q. ..after..after the court hearing? After
18 April the 18th? When did you receive the call?

19 A. When she was incarcerated she called
20 several times talking about the telephone. You know,
21 she didn't want the..no one to touch her telephone to
22 have it turned off. That was up to her. So, you know,
23 all I did was forward it to the new tenants moving in.
24 You know, wait to have your phone turned on.

25 Q. Did..Ms. Brissey, did you learn from Ms.

1 Dessesauere what the reason was for her incarceration?

2 A. Not from her. From..

3 Q. Fine. Then, Ms. Brissey, when was the
4 efficiency apartment rerented by St. Paul Rentals?

5 A. May the 1st to the best of my knowledge.

6 Q. May the 1st, 1990.

7 A. Yes, Sir.

8 COURT: Okay.

9 MS. BRISSEY: There had been..I mean the
10 police had been there on several occasions for..for
11 malicious destruction from Ms. Dessesauere. She would
12 lock herself out and kick the door in. No locks were
13 ever put on the big door because we found to just leave
14 it off because I mean there was no sense in having it
15 kicked in.

16 COURT: That's the main..

17 MS. BRISSEY: Yes.

18 COURT: Okay.

19 MS. DESSESAURE: That never happened.

20 COURT: Maam, that's alright. Maam, listen
21 to me. Yvonne..Any other questions of..of Ms. Brissey?

22 MR. COHEN: I have no further questions.

23 COURT: Alright. We're going to turn her
24 loose now. Are you ready?

25 MS. BRISSEY: Yes, Sir.

1 COURT: Okay. Do you have any questions of
2 Ms. Brissey? Now is your turn. You can ask her any
3 questions you'd like.

4 MS. DESSESAURE: Well, I don't necessarily
5 have a question to ask her but..

6 COURT: Alright. No problem. No problem.

7 MS. DESSESAURE: ..I would like to say that
8 the statements she made is untrue because I have..

9 COURT: Okay. Maam. Maam.

10 MS. DESSESAURE: ..these documents to prove
11 it.

12 COURT: Okay. Any other witnesses?

13 MR. COHEN: I have a corroborating witness.

14 COURT: Okay. If you want to sure. Go
15 ahead.

16 Whereupon,

17 TIMOTHY CASEY

18 was called as a witness on behalf of the
19 Defendant, and having been sworn, was
20 examined and testified as follows:

21 DIRECT EXAMINATION

22 MR. COHEN:

23 Q. Would you state your name please, Sir?

24 A. Timothy Casey.

25 Q. And what is your relationship to St. Paul

1 Rentals?

2 A. Assistant property manager.

3 Q. And I direct your attention to the period
4 of time April..the end of April or early May of 1989.
5 Were you involved with St. Paul Rentals at that time?

6 A. Yes, I was.

7 Q. Alright. Did you have occasion to visit
8 the property, Park Avenue, that was occupied..had been
9 occupied by Ms. Dessesauere?

10 A. Yes, I was.

11 COURT: What is the number by the way we're
12 talking about? Just so we have the record.

13 MS. BRISSEY: Excuse me?

14 COURT: Do you know the exact address?

15 MS. BRISSEY: 1748 Park Avenue.

16 COURT: And what apartment was Ms..

17 MS. BRISSEY: The first floor.

18 COURT: 1748 Park Avenue, first floor.

19 MS. BRISSEY: Yes.

20 COURT: Okay.

21 MR. COHEN:

22 Q. Alright. And, Sir, were you..would you
23 have been involved with the handling of an eviction had
24 there been an eviction?

25 A. Yes. I would have been involved.

1 Q. To your knowledge what efforts was made
2 by..were made by the landlord to have the Plaintiff's
3 property evicted?

4 A. I do not know of any.

5 Q. Prior to the property being rerented on
6 May the 1st of 1990 did you have occasion to inspect
7 the property?

8 A. Yes, Sir, I did.

9 Q. And what was the condition of the
10 property when you inspected it?

11 A. There were boxes, bags. It wasn't..I
12 didn't see any furniture in there at that time.

13 Q. But that was prior to..That was while Ms.
14 Dessesasure lived there?

15 A. Yes.

16 Q. What about just..Were you not required to
17 renovate the apartment prior to the new tenant moving
18 in?

19 A. No, I did not.

20 MR. COHEN: You did not. Thank you.

21 MS. DESSESAURE: Your Honor, may I say
22 something?

23 COURT: Not yet, Maam.

24 MS. DESSESAURE: Oh.

25 MR. COHEN: That would be all.

1 COURT: Okay. Now do you have any questions
2 you'd like to ask of him?

3 MS. DESSESAURE: I've got proof of these..

4 COURT: Do you have any questions?

5 MS. DESSESAURE: I've got proof of these
6 people knowing that I bought this stuff and had this
7 stuff delivered to..to that..had this stuff..

8 COURT: Okay. I'm going to take that from
9 you. No question. Maam, do you have any questions
10 you'd like to ask of him?

11 MS. DESSESAURE: No, Sir.

12 COURT: Okay. That's..That's the Defendant's
13 case?

14 MR. COHEN: The Defendant's case, Your Honor.

15 COURT: Alright. What do you want to say,
16 Maam?

17 MS. DESSESAURE: I would like to say that
18 these things..that the things, the items..the list of
19 items that I showed you..

20 COURT: Right.

21 MS. DESSESAURE: And all of those things that
22 were in my..in the apartment as he said he did see
23 boxes. I'm sure he saw about four boxes..
24 approximately four boxes of properties which belonged
25 to me which would be in..which would be..which would

1 include items such as blankets, draperies, china set,
2 cooking set, record albums, one vacuum cleaner, three
3 sheet sets, a toaster, toaster oven, wash towels, wash
4 cloths, four brand new little pocket carrier radios,
5 electric heat - not the heater - that was a big long
6 thing. Two..The fans, two fans, boots, boots and
7 shoes, a hot plate, clothing, leather jacket, electric
8 can opener, one..one play table - \$35 pool table.

9 COURT: Let me ask you a question. Let me
10 ask you a question.

11 MS. DESSESAURE: Some of the..That was
12 about..

13 COURT: Maam, let me ask you a question.

14 MS. DESSESAURE: Some of things - they
15 probably did see boxes.

16 COURT: Maam. Maam, you're in an efficiency
17 apartment. Right?

18 MS. DESSESAURE: Extra..It's an extra..Three
19 room efficiency.

20 COURT: You've got a full-sized pool table in
21 there along with a bed?

22 MS. DESSESAURE: A table..A pool table
23 like..It's a large..It's an extremely large efficiency.
24 It's on Park Avenue. Up over on Park Avenue.

25 COURT: Maam, it very well might be that what

1 you're saying is true. And it very well might be that
2 these items are missing. Okay? It might be that
3 somebody broke in and took them while you were
4 incarcerated. I don't know. I really don't.

5 MS. DESSESAURE: Ms. Brissey told me
6 that..that..

7 COURT: Well, here's the situation.

8 MS. DESSESAURE: Well, even still well why..

9 COURT: I'm going to find from a
10 preponderance of the evidence..

11 MS. DESSESAURE: If somebody broke in and
12 took them I should have still been allowed to come back
13 into the court..into that apartment when I came back
14 and found it out.

15 COURT: ..that you did not maintain your
16 case. Maam, that you did not maintain your case. So
17 I'm going to enter a verdict..a judgement in favor of
18 the Defendant. Now if you'd like to file an appeal you
19 have every right to file an appeal. You've got thirty
20 days to file an appeal if you'd like and ten days to
21 file a motion for a new trial. Now they didn't charge
22 you for filing this thing so maybe they won't charge
23 you for appealing it. I don't know how..How did you
24 get away with not..Oh, I see what happened. Anyway,
25 that's..that's what it is. I entered a judgement in

1 favor of the Defendant. Goodbye all. Have a good day.

2 MR. COHEN: Thank you, Your Honor.

3 MS. DESSESAURE: May I ask you what reason
4 you say that was? For what reason?

5 COURT: Because I believe them more than I..I
6 believe that you didn't make out your case by a
7 preponderance of the evidence.

8 MS. DESSESAURE: Now I made out the case,
9 Your Honor.

10 COURT: I didn't believe that.

11 MS. DESSESAURE: But you didn't..In the
12 beginning you didn't want to allow me enough time to
13 show you all of my documents..

14 COURT: Well, Maam, you have every..you have
15 every right to appeal it.

16 MS. DESSESAURE: ..that I had. Well, how can
17 I go about doing that please?

18 COURT: Well, maybe they'll explain that to
19 you downstairs how to appeal it.

20 MS. DESSESAURE: Okay. Because see you
21 didn't seem as if you would..you had much interest in
22 it. In the beginning you..I was asking you to allow
23 you to show you these things here.

24 COURT: Okay.

25 MS. DESSESAURE: You haven't seen any of this

1 stuff here. You're using their documents. He asked me
2 to write this stuff out. Well, if you was just going
3 to take it on the belief of them I didn't need to bring
4 these people..

5 COURT: Maam, he..What you're showing me are
6 your answers to interrogatories.

7 MS. DESSESAURE: Yes, Sir.

8 COURT: He withdrew the motion for sanctions.

9 MS. DESSESAURE: This..I..This states..It
10 says to name of all persons who investigated the cause
11 and circumstances for you. State..Name all
12 eyewitnesses to all or part of the occurrence.
13 Name..Give a concise statement as to the facts and all
14 of that stuff.

15 COURT: Okay.

16 MS. DESSESAURE: Now you didn't allow me. I
17 didn't have any of that stuff..I didn't give you any of
18 that.

19 COURT: Okay. Maam, if you're unhappy you
20 can appeal it.

21 MS. DESSESAURE: Well, that's what I'll do.

22 COURT: Okay. Thank you.
23
24
25

C E R T I F I C A T E

I, Helen Miller, official court transcriber for the District Court of Maryland, do hereby certify that the foregoing testimony was taken before Judge H. Gary Bass, on the 31st day of May, 1990, and that said testimony has been reduced to typewriting by me, and that the foregoing transcript is a correct and accurate record of the proceedings, herein, to the best of my knowledge and belief.

Helen Miller
Helen Miller
June 27, 1990

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PARTIES

Plaintiff:
YVONNE DESSESAURE
 3rd FL. 3748 Old York Rd.
 Baltimore, Md. 21218
 Constable Service

VS.

Defendant(s):
ST. PAUL Rentals
 2531 ST. PAUL Street
 Baltimore, Md. 21218
 Reserve on Donna Brissey
 Jim Casey
 10417 Hallwood Drive
 Annapolis Md. - 20854

Return
See Defense

APPEAL BY *Pct. 5-31-90*
 PAPERS TRANSMITTED TO
 BALTIMORE CITY COURT
 ON
 NO BOND FILED.

ATTORNEYS

For Plaintiff Name, Address & Telephone No.
 TRANSCRIPT ORDERED
 COSTS WAIVED

Tel # *#1* Address
 For Defendant: *Hyman K. Cohen* Name
 Tel # *514 St. Paul St.* Address
Balto Md. 21202 Name
 Tel # *547-1166* Address

JUDGMENT

- AFFIDAVIT Judgment Principal.....
- DEFAULT Pre Judgment Interest.....
- CONSENT Total Judgment.....
- CONFESSION Costs.....
- CONTESTED Attorney Fees.....
- EXPARTE Post Judgment Interest legal rate
- IN REM Post Judgment Interest contractual rate until date of maturity of contract; legal rate thereafter (CJ 11-106).
- FOREIGN

in favor of *Defendant*
 against *Plaintiff*

5/31/90 Date *J. Gary Bass* Judge

Judgment and Notice Pursuant to Rule 3-306 and 3-601 mailed. **MAY 31 1990** Date/Initials

- AFFIDAVIT Judgment Principal.....
- DEFAULT Pre Judgment Interest.....
- CONSENT Total Judgment.....
- CONFESSION Costs.....
- CONTESTED Attorney Fees.....
- EX PARTE Post Judgment Interest legal rate
- IN REM Post Judgment Interest contractual rate until date of maturity of contract; legal rate thereafter (CJ 11-106).
- FOREIGN

in favor of
 against

ACW Judge

Judgment and Notice Pursuant to Rule 3-306 and

MAR 27 '90 - 8 45 AM
 CONTINUANCES

DATE	PLT/DEFT	PARTIES	RE ISSUE	ADD DEFT	NOT CONCLUDED	RE OPENED	APPROVED	PARTIES NOTIFIED	BY
<i>4/25/90</i>			<input checked="" type="checkbox"/>						
<i>5-31-90</i>							<i>SEC BOOK</i>	<i>4/25/90</i>	<i>PAC</i>
FILED									
JUL 30 1990									
CIRCUIT COURT FOR BALTIMORE CITY									
90211028									

CONSOLIDATED WITH *CL 117260*

DATE	Description
	Judgment Recorded
	Notice of Lien Filed <i>ACW</i>
	Satisfaction Filed

DATE	DESCRIPTION OF PAPERS	COSTS
<i>1/10/90</i>	INITIAL FILING	<i>0.00</i>
	CONTR.	
<i>1/17/90</i>	<i>Petition for Waiving Costs 'Granted'</i> Judge Alan J. Karlin	
<i>1/30/90</i>	NON EST CONSTABLE (<i>6-15-00</i>)	
<i>2/9/90</i>	<i>Declar - P.D.S. 2/14/90</i> <i>RD 3/23/90</i>	
<i>3-23-90</i>	<i>Declar - filed for #11/11/90</i>	
<i>3-23-90</i>	DEFENDANT'S INTERROGATORIES FILED	

VS.

CASE #

DATE	DESCRIPTION OF PAPERS	COSTS
APR 25 1990	def't's atty. app'd + ply. app'd	
"	REEL <u>74578</u> BEGINNING AT <u>458</u> ENDING AT <u>808</u> PAC	

Plaintiff Granted leave to
 Amend Plaintiff to answer
 interrogatories w/in days - P.P. - *AB*

JUDGE ASKEW W. GATEWOOD, JR.

5/14/90 Motion for sanctions def't atty
 w/ order

MAY 31 1990	REEL <u>75190</u> BEGINNING AT <u>1553</u> ENDING AT <u>2292</u>	
-------------	--	--

D. atty. app. + P. app.

5-31-90 Appeal with petition to waive
 costs filed by Pll.

6-11-90 Petition to waive costs granted

Judge Alan J. Karlin



DISTRICT COURT OF MARYLAND FOR

BALTO.

City/County

Located at

FAYETTE + GAY

Court Address

Case No.

1011-90

YVONNE DESSESAURE

vs.

ST. PAUL Rentals

CIVIL APPEAL/REQUEST FOR TRANSCRIPT

To the Clerk:

Please note an appeal in the case referenced above. Appellant is the in the said case.

Plaintiff

CASE #

RECEIVED DISTRICT COURT OF MARYLAND CIVIL DIVISION

DISTRICT #01-01 #2645 0230 001 1101 12:22

APPEALS

- District Court cost of \$10 enclosed. Advance Circuit Court filing fee of \$80 enclosed. Appellant, as an indigent, seeks a waiver of costs. The amount in controversy being greater than \$2,500, a transcript is requested. A deposit of

\$ is enclosed.*

Date of Trial

MAY 31, 1990 MAY 31, 1990

Date

Location of Trial

Civil

Yvonne Desseasure 3748 Old York Rd

Appellant/Attorney

Address

Telephone No.

CERTIFICATE OF SERVICE

I certify that I served a Notice of Appeal upon the following party or parties by first class mail, postage prepaid

on

RECEIVED DISTRICT COURT OF MARYLAND CIVIL DIVISION MAY 31 11 43 AM '90

5-31-90

Date

Cohen

Name

Name

514 St. Paul St.

Address

Address

5-31-90

Date

Desseasure Yvonne M

Appellant/Attorney

*NOTE:

A transcript of the District Court proceeding is required only if the amount in controversy exceeds \$2,500. The cost of transcript is \$2.00 per page for an original and one copy. A deposit of \$50.00 is required when the transcript is requested. You will be billed for the balance. The appeal will not be forwarded until all costs, including the cost of the transcript, have been paid.

5-31- 75196 1553 2292



DISTRICT COURT OF MARYLAND FOR

BALTO.

City/County

Located at

501 E Fayette St

Court Address

Case No.

1011-90

In the matter of

Yvonne Desseigne (ms)

Defendant

St. Paul Rentals

PETITION FOR WAIVER OF COSTS

The Petitioner represents that the answers to the following questions are true.

- (a) Do you have any money? NO How much? Where?
(b) Are you employed? NO Where? Position
(c) Are you self-employed? NO Doing what?
(d) What is your rate of pay? NONE
(e) Do you own an automobile? NO Make Year Is it paid for? How much do you owe? To whom? Where is the car?
(f) Do you owe any money to others? NO How much? To whom?
(g) Do you own any real estate? NO Value? Where?
(h) Do you own any other property of any kind? NO What?
(i) Does anyone owe you money? NO If so, state name, address and amount
(j) Do you receive money from any other source, including disability benefits, investments? YES
(k) If married, give the name and address of your wife/husband Does your wife/husband work? Where? Rate of pay
(l) Do you have any children? NO Names, ages and addresses: Could they contribute to your assistance now?
m) What is your home address? 3748 W. York Rd Telephone

RECEIVED DISTRICT COURT MD 1st DISTRICT BALTO 1990 MAY 31 PM 12:25

Petitioner further represents that he does not now have, nor is he able to obtain, any funds whatsoever from anyone, including family and associates, [] for counsel [] for payment of the fine, [X] for the expense of an appeal [] for the cost of filing a Petition for Protection from Domestic Violence [] for civil filing fee.

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing document are true and correct.

Yvonne Desseigne Petitioner/Respondent

ORDER

[] Disapproved
[X] Approved Judge Alan J. Berlin Date 6/11/90



DISTRICT COURT OF MARYLAND AND FOR

DC/CV1 (Rev. 1/88)

LOCATED AT (COURT ADDRESS)

501 E. Fayette ST.

COMPLAINT [] \$2,500 or under [x] over \$2,500

Clerk: Please docket this case in an action of [] contract [] tort [] replevin [] detinue.

The particulars of this case are:

I AM SUEING FOR the cost or replacement plus damages of my property which WAS AT 1748 PARK AVE.

CV

CASE NO.

PARTIES

Plaintiff:

YVONNE DESSESAURE
3748 OLD YORK ROAD, 3rd FLOOR
BALTIMORE, MD 21218

VS

Defendant(s):

1 ST. PAUL RENTALS
2531 ST. PAUL STREET
BALTIMORE, MD 21218
Serve on: DONNA BRISSEY

Return

Table with 2 columns: Defendant(s) and Return. Rows 1-4.

ATTORNEYS

For Plaintiff-Name, Address & Telephone No.

CASE # 01/10/90
DISTRICT #01-01
#17811 C135 #02 112458
CONT LG

(See Continuation Sheet)

The Plaintiff claims:

- [x] \$ 3155.00 plus interest of \$ and attorney's fees of \$ plus court costs.
[] Return of the property and damages of \$ for its detention in an action of replevin.
[] Return of the property, or its value, plus damages of \$ for its detention in action of detinue.
[] Other: and demands judgement for relief.

Yvonne Desseaur
Signature of Plaintiff/Attorney

Telephone Number:

APPLICATION AND AFFIDAVIT IN SUPPORT OF JUDGMENT

There are attached the documents indicated which contain sufficient detail as to liability and damage to apprise the Defendant clearly of the claim against the Defendant, including the amount of any interest claimed.

- [] Properly authenticated copy of any note, security agreement upon which claim is based [] Itemized statement of account [] Interest Work Sheet
[] Vouchers [] Check [] Other written document [] Verified itemized repair bill or estimate

I HEREBY CERTIFY: That I am the [x] Plaintiff [] of the plaintiff herein and am competent (Owner/Partner/Agent/Officer)

to testify to the matters stated herein, which are made on my personal knowledge; that there is justly due and owing by the Defendant to the Plaintiff the sum set forth in the Complaint.

[] That

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the above Complaint are true and I am competent to testify to these matters. The Defendant is not now in the military service, as defined in the Soldier's and Sailor's Civil Relief Act of 1940 with amendments, nor has been in such service within thirty days hereof.

Date

Signature of Affiant



DISTRICT COURT OF MARYLAND FOR

DC/CV 1 (Rev. 1/88)

LOCATED AT (COURT ADDRESS)

501 E. Fayette ST.

CASE NO.

CV 010-01011-90

PARTIES

Plaintiff:

YVONNE DESSESAURE
3748 OLD YORK ROAD, 3rd FLOOR
BALTIMORE, MD 21218

Defendant(s):

Return

1 ST PAUL RENTALS
2531 ST. PAUL STREET
BALTIMORE, MD 21218
Serve on: DONNA BRISSEY

2 ST PAUL RENTALS
DONNA BRISSEY

3

4

ATTORNEYS

For Plaintiff - Name, Address & Telephone No.

COMPLAINT \$2,500 or under over \$2,500

Clerk: Please docket this case in an action of contract tort replevin detinue.

The particulars of this case are:

I AM SUEING FOR THE COST OR REPLACEMENT PLUS DAMAGES OF MY PROPERTY WHICH WAS AT 1748 PARK AVE.

CASE #

01/10/79

DISTRICT #01-01

#17811 CLS RVT 112498

COUNT LG

(See Continuation Sheet)

The Plaintiff claims:

- \$ 3,155.00 plus interest of \$ and attorney's fees of \$ plus court costs.
Return of the property and damages of \$ for its detention in an action of replevin.
Return of the property, or its value, plus damages of \$ for its detention in action of detinue.
Other: and demands judgement for relief.

Signature of Plaintiff/Attorney

Telephone Number:

APPLICATION AND AFFIDAVIT IN SUPPORT OF JUDGMENT

There are attached the documents indicated which contain sufficient detail as to liability and damage to apprise the Defendant clearly of the claim against the Defendant, including the amount of any interest claimed.

- Properly authenticated copy of any note, security agreement upon which claim is based
Itemized statement of account
Interest Work Sheet
Vouchers
Check
Other written document
Verified itemized repair bill or estimate

I HEREBY CERTIFY: That I am the Plaintiff of the plaintiff herein and am competent (Owner/Partner/Agent/Officer)

to testify to the matters stated herein, which are made on my personal knowledge; that there is justly due and owing by the Defendant to the Plaintiff the sum set forth in the Complaint.

That

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the above Complaint are true and I am competent to testify to these matters. The Defendant is not now in the military service, as defined in the Soldier's and Sailor's Civil Relief Act of 1940 with amendments, nor has been in such service within thirty days hereof.

Date

Signature of Affiant



DISTRICT COURT OF MARYLAND FOR

DC/CV 1 (Rev. 1/88)

LOCATED AT (COURT ADDRESS)

COMPLAINT \$2,500 or under over \$2,500

Clerk: Please docket this case in an action of contract tort replevin
 detinue.

The particulars of this case are:

*I AM SUEING FOR
THE COST OF REPLACEMENT
PLUS DAMAGES
OF MY PROPERTY WHICH
WAS AT 1748 PARK AVE*

CASE NO.

CV

19-01011-90

PARTIES

Plaintiff:

YVONNE DESSESAURE
3748 OLD WYRK ROAD, 3rd FLOOR
BALTIMORE, MD 21218

Defendant(s):

Return

1 ST PAUL RENTALS
2531 ST. PAUL STREET
BALTIMORE, MD 21218

Serve on: DONNA BRISSEY

2 *Donna Brisse*

3

4

ATTORNEYS

For Plaintiff - Name, Address & Telephone No.

CASE #

01/10/90

DISTRICT #01-01

#17811 CLS ROE 112458

COURT LG

(See Continuation Sheet)

The Plaintiff claims:

- \$ 3155.00 plus interest of \$ _____ and attorney's fees of \$ _____ plus court costs.
- Return of the property and damages of \$ _____ for its detention in an action of replevin.
- Return of the property, or its value, plus damages of \$ _____ for its detention in action of detinue.
- Other: _____ and demands judgement for relief.

Signature of Plaintiff/Attorney

Telephone Number: _____

APPLICATION AND AFFIDAVIT IN SUPPORT OF JUDGMENT

There are attached the documents indicated which contain sufficient detail as to liability and damage to apprise the Defendant clearly of the claim against the Defendant, including the amount of any interest claimed.

- Properly authenticated copy of any note, security agreement upon which claim is based
- Itemized statement of account
- Interest Work Sheet
- Vouchers
- Check
- Other written document
- Verified itemized repair bill or estimate

I HEREBY CERTIFY: That I am the Plaintiff _____ of the plaintiff herein and am competent

(Owner/Partner/Agent/Officer)

to testify to the matters stated herein, which are made on my personal knowledge; that there is justly due and owing by the Defendant to the Plaintiff the sum set forth in the Complaint.

That _____

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the above Complaint are true and I am competent to testify to these matters. The Defendant is not now in the military service, as defined in the Soldier's and Sailor's Civil Relief Act of 1940 with amendments, nor has been in such service within thirty days hereof.

Date

Signature of Affiant

5-29

YVONNE DESSESAURE

Plaintiff

V.

ST. PAUL RENTALS

Defendant

* IN THE
* DISTRICT COURT
* FOR
* BALTIMORE CITY
* CASE NO.: CV010-1011-90
* Trial 5/31/90 at 8:45 A.M.

* * * * *

MOTION FOR SANCTIONS

St. Paul Rentals, Defendant, by Hyman K. Cohen, its attorney, pursuant to Maryland Rules, Rule 3-421(h) moves for sanctions against the Plaintiff and says:

1. The Defendant prays that the Motion for Sanctions heretofore filed in this case on or about April 20, 1990, be incorporated herein by reference.

2. That at the scheduled hearing on Wednesday, April 25, 1990, at 8:45 A.M., the Honorable Askew W. Gatewood, Jr. advised the Plaintiff that she is required to follow the rules, and he granted her leave to amend with the admonition that the Plaintiff must file answers to interrogatories within fifteen days. In addition, Judge Gatewood continued the case to the next trial date, and same is currently scheduled for Thursday, May 31, 1990, at 8:45 A.M.

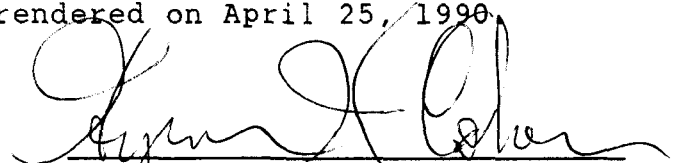
3. That counsel for the Defendant, did on April 26, 1990, forward a letter to the Plaintiff (a copy of which is attached hereto, marked Defendant's Motion Exhibit No. 1 and prayed to be made of this Motion), wherein he once again explained to the Plaintiff all that had transpired, and provided her with copies of

RECEIVED
DISTRICT COURT
MAY 11 1990

the Interrogatories heretofore filed in this case as well as a copy of the earlier Motion for Sanctions.

4. Plaintiff has neither filed an amended Complaint, nor has she filed Answers to Interrogatories within the 15 day period of time allowed by the Court, and no protective order has been sought by the Plaintiff to either avoid the necessity of filing Answers to Interrogatories, or to avoid the necessity for the filing of Answers to Interrogatories.

WHEREFORE, Defendant, St. Paul Rentals, moves for an Order dismissing with prejudice the Plaintiff's action against Defendant and awarding Defendant its reasonable expenses, including attorney's fees, caused by Plaintiff's failure to comply with the rules of discovery and in compliance with the ruling of the Honorable Askew W. Gatewood, Jr. rendered on April 25, 1990.



Hyman K. Cohen, Esquire
514 St. Paul Street
Baltimore, MD 21202-2282
(301) 547-1166

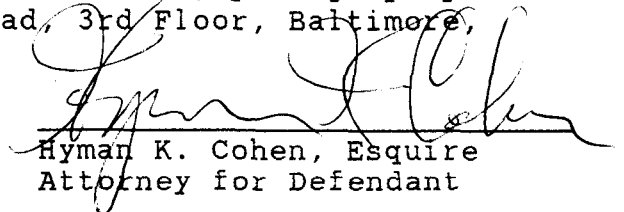
Attorney for Defendant

STATEMENT OF AUTHORITY

1. Maryland Rules of Procedure, Rule 3-421(h).

CERTIFICATION OF MAILING

I HEREBY CERTIFY that on this 14th day of May, 1990, a copy of the foregoing Motion for Sanctions was mailed, postage prepaid to Yvonne Dessesauere, 3748 Old York Road, 3rd Floor, Baltimore, Maryland 21218.



Hyman K. Cohen, Esquire
Attorney for Defendant

HYMAN K. COHEN

Attorney at Law

HYMAN K. COHEN *

(AREA CODE) 301)
TELEPHONE 547-1166
TELEFAX 752-8112

Second Floor
514 St. Paul Street
BALTIMORE, MARYLAND 21202-2282

* (ADMITTED IN MARYLAND AND D. C.)

April 26, 1990

Ms. Yvonne Dessesauere
3748 Old York Road, 3rd Floor
Baltimore, MD 21218

RE: Yvonne Dessesauere, Plaintiff v. St. Paul Rentals, Defendant
District Court of Maryland for Baltimore City
Case No. CV010-1011-90
Trial Wednesday, April 25, 1990 at 8:45 A.M.

Dear Ms. Dessesauere:

This letter is a follow-up to our appearance in the District Court of Maryland for Baltimore City on Wednesday, April 25, 1990, Court Room No. 1 at 8:45 A.M. You may recall that Judge Askew W. Gatewood, Jr. very patiently explained to you at least two times that your failure to answer the interrogatories which had been mailed to you on March 27, 1990, could have resulted in a dismissal of the case against you, which action had been requested by me in the Motion for Sanctions which had been mailed to the Court on April 19, 1990. You told the judge that you believed that the questions which had been mailed to you were to be answered in court, although on page one of the Interrogatories in paragraph "f" you will find very specific instructions concerning your obligations to answer the interrogatories "WITHIN 15 DAYS AFTER SERVICE OF THE INTERROGATORIES." Furthermore, a letter was mailed to you on April 13, 1990, reminding you that the answers to interrogatories were to have been received two days prior to that date, and you were advised that "the written Answers to Interrogatories, under affidavit" should be received "by no later than Wednesday, April 18, 1990". Unfortunately, you failed to respond for the second time.

The Judge granted you "leave to amend" and to answer the Interrogatories within 15 days, and postponed the case until the next trial date. In open court, I stated that I would discuss the case further with you in the corridor; however, when I attempted to talk with you, you insisted that I provide you with copies of the documents from my file. I explained to you that they were the only copies that I had, and you became extremely argumentative, loud, and abusive and walked away from me, in the presence of my witness!

Defendant's Motion Exhibit No. 1

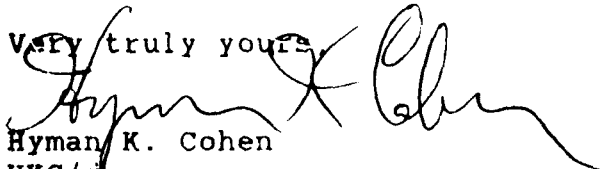
Ms. Yvonne Dessesauere
Page Two
4/26/90

Although in Court you admitted that you knew that questions had been received by you, and I was able to identify among your papers two of my very distinctive blue envelopes, while we were in the corridor outside of the courtroom, you would not advise me as to which of the four mailings you had in your possession inasmuch as you insisted that they were your private papers. Nevertheless, in an effort to resolve the existing difficulties, enclosed you will find copies of the following:

1. Interrogatories, consisting of one page of instructions and nine questions, which you must answer under oath, by no later than Thursday, May 10, 1990!
2. Copy of Motion for Sanctions consisting of two pages with the attached Motion Exhibit No. 1.

In the event that you do not comply with Judge Gatewood's instructions to file the Answers to Interrogatories within 15 days, I will once again file a Motion for Sanctions and argue strenuously that the case should be dismissed.

Very truly yours,


Hyman K. Cohen
HKC/

Enclosure

cc: St. Paul Rental

District Court of Maryland for Baltimore City

(Mr. Clerk: Please file this letter in the case file)

YVONNE DESSESAURE

Plaintiff

V.

ST. PAUL RENTALS

Defendant

* IN THE
* DISTRICT COURT
* FOR
* BALTIMORE CITY
* CASE NO.: CV010-1011-90
* Trial 5/31/90 at 8:45 A.M.

* * * * *

ORDER FOR SANCTIONS

Upon Defendant's Motion for Sanctions, it appearing from the pleadings and the file that the Plaintiff has failed to file Answers to Interrogatories pursuant to the Maryland Rules, and that Defendant's Motion for Sanctions should be granted, it is hereby ORDERED this day of May 1990, that:

- 1. The Plaintiff's action against the Defendant is hereby dismissed with prejudice; and
- 2. The Plaintiff shall pay the Defendant the sum of \$_____ as its reasonable expenses, including attorney's fees, caused by Plaintiff's failure to comply with the rules of discovery.
- 3. That the costs of these proceedings shall be paid by the Plaintiff.

JUDGE

HYMAN K. COHEN

Attorney at Law

HYMAN K. COHEN *

(AREA CODE) 301)
TELEPHONE 547-1166
TELEFAX 752-8112

Second Floor
514 St. Paul Street
BALTIMORE, MARYLAND 21202-2282

*(ADMITTED IN MARYLAND AND D. C.)

April 13, 1990

Ms. Yvonne Dessesauere
2748 Old York Road, 3rd Floor
Baltimore, MD 21218

RE: Yvonne Dessesauere, Plaintiff v. St. Paul Rentals, Defendant
District Court of Maryland for Baltimore City
Case No. CV010-1011-90
Trial Wednesday, April 25, 1990 at 8:45 A.M.

Dear Ms. Dessesauere:

The above-captioned matter has appeared on diary which prompted a review of the file. It has been noted that Interrogatories had been mailed to you on Tuesday, March 27, 1990, and that answers to those Interrogatories were due from you "within 15 days after service of the Interrogatories." Inasmuch as today is the 17th day after the date on which you should have received the Interrogatories, and we still have not received the required answers from you, you are respectfully notified that unless we receive the written Answers to Interrogatories, under affidavit, by no later than Wednesday, April 18, 1990, we shall be constrained to request that the Court impose sanctions upon you, including the request that the litigation be dismissed with prejudice for your failure to comply with the Maryland District Rules.

Please give this letter your prompt attention.

Very truly yours,

Hyman K. Cohen
Hyman K. Cohen
HKC/ij

cc: District Court of Maryland for Baltimore City ✓
St. Paul Rental

1990 APR 16 AM 10:16
DISTRICT COURT MD
DIST #1 - CIVIL

HYMAN K. COHEN

Attorney at Law

HYMAN K. COHEN *

(AREA CODE) 301)

Second Floor

514 St. Paul Street

* (ADMITTED IN MARYLAND AND D. C.)

TELEPHONE 547-1166

BALTIMORE, MARYLAND 21202-2282

TELEFAX 752-8112

April 26, 1990

Ms. Yvonne Dessesauere
3748 Old York Road, 3rd Floor
Baltimore, MD 21218

RE: Yvonne Dessesauere, Plaintiff v. St. Paul Rentals, Defendant
District Court of Maryland for Baltimore City
Case No. CV010-1011-90
Trial Wednesday, April 25, 1990 at 8:45 A.M.

Dear Ms. Dessesauere:

This letter is a follow-up to our appearance in the District Court of Maryland for Baltimore City on Wednesday, April 25, 1990, Court Room No. 1 at 8:45 A.M. You may recall that Judge AskeW. Gatewood, Jr. very patiently explained to you at least two times that your failure to answer the interrogatories which had been mailed to you on March 27, 1990, could have resulted in a dismissal of the case against you, which action had been requested by me in the Motion for Sanctions which had been mailed to the Court on April 19, 1990. You told the judge that you believed that the questions which had been mailed to you were to be answered in court, although on page one of the Interrogatories in paragraph "f" you will find very specific instructions concerning your obligations to answer the interrogatories "WITHIN 15 DAYS AFTER SERVICE OF THE INTERROGATORIES." Furthermore, a letter was mailed to you on April 13, 1990, reminding you that the answers to interrogatories were to have been received two days prior to that date, and you were advised that "the written Answers to Interrogatories, under affidavit" should be received "by no later than Wednesday, April 18, 1990". Unfortunately, you failed to respond for the second time.

The Judge granted you "leave to amend" and to answer the Interrogatories within 15 days, and postponed the case until the next trial date. In open court, I stated that I would discuss the case further with you in the corridor; however, when I attempted to talk with you, you insisted that I provide you with copies of the documents from my file. I explained to you that they were the only copies that I had, and you became extremely argumentative, loud, and abusive and walked away from me, in the presence of my witness!

RECEIVED
DISTRICT COURT - BALTIMORE
APR 27 AM 11:22

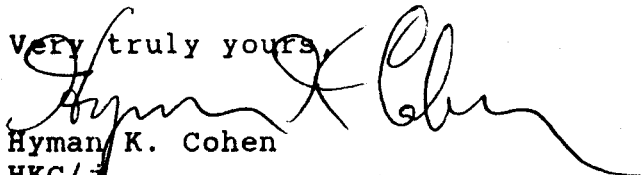
Ms. Yvonne Dessesauere
Page Two
4/26/90

Although in Court you admitted that you knew that questions had been received by you, and I was able to identify among your papers two of my very distinctive blue envelopes, while we were in the corridor outside of the courtroom, you would not advise me as to which of the four mailings you had in your possession inasmuch as you insisted that they were your private papers. Nevertheless, in an effort to resolve the existing difficulties, enclosed you will find copies of the following:

1. Interrogatories, consisting of one page of instructions and nine questions, which you must answer under oath, by no later than Thursday, May 10, 1990!
2. Copy of Motion for Sanctions consisting of two pages with the attached Motion Exhibit No. 1.

In the event that you do not comply with Judge Gatewood's instructions to file the Answers to Interrogatories within 15 days, I will once again file a Motion for Sanctions and argue strenuously that the case should be dismissed.

Very truly yours,


Hyman K. Cohen
HKC/

Enclosure

cc: St. Paul Rental

District Court of Maryland for Baltimore City

(Mr. Clerk: Please file this letter in the case file)



DISTRICT COURT OF MARYLAND FOR

Balto
City/County

Located at 501 E. Fayette St
Court Address

Case No. 1011-90

STATE OF MARYLAND

OR

VS.

Yvonne Dessezaure

St. Paul Rentals

Plaintiff

Defendant

TRIAL OR HEARING NOTICE

TO:

Notice of intent to defend has been filed by

in the above case. The trial is set for at You must be prepared for trial on this date.

The trial date in the above case has been changed to May 31, 1990 at 8:45 AM

You are hereby summoned to appear at the above location.

Hearing on Motion to be held at

If Motion results in trial, trial will be held the same day will be rescheduled.

Continuation of oral examination to be held on at

Case has been continued to an indefinite date. You will be notified.

4-25-90

Date

Ra. Cole

Clerk

Copies mailed to:

(1) Yvonne Dessezaure
3rd flr. 3748 Old York Rd.
Balto. Md. 21218

(2) Hyman Cohen
514 St. Paul Street

(3) Balto. Md. 21202

(4)

Quint

YVONNE DESSESAURE

Plaintiff

V.

ST. PAUL RENTALS

Defendant

* IN THE
* DISTRICT COURT
* FOR
* BALTIMORE CITY
* CASE NO.: CV010-1011-90
* Trial 4/25/90 at 8:45 A.M.

* * * * *

MOTION FOR SANCTIONS

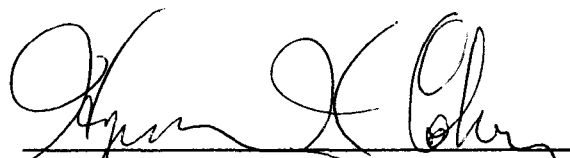
St. Paul Rentals, Defendant, by Hyman K. Cohen, its attorney, pursuant to Maryland Rules, Rule 3-421(h) moves for sanctions against the Plaintiff and says:

1. Plaintiff has failed to file any response to the Interrogatories served on Plaintiff on March 27, 1990, pursuant to Maryland Rule 3-421.

2. The attorney for the Defendant had written to the Plaintiff on April 13, 1990, advising the Plaintiff that answers to Interrogatories were due "within 15 days after service of the Interrogatories." Said letter further advised the Plaintiff "that unless we receive the written Answers to Interrogatories, under affidavit, by no later than Wednesday, April 18, 1990, we shall be constrained to request that the Court impose sanctions upon you ***". (See attached photocopy of letter prayed to be made a part of this Motion.)

3. Plaintiff has failed to respond to either the Interrogatories or to the last mentioned letter, and no protective order was sought by Plaintiff.

WHEREFORE, Defendant, St. Paul Rentals, moves for an Order dismissing with prejudice the Plaintiff's action against Defendant and awarding Defendant its reasonable expenses, including attorney's fees, caused by Plaintiff's failure to comply with the rules of discovery.


Hyman K. Cohen, Esquire
514 St. Paul Street
Baltimore, MD 21202-2282
(301) 547-1166

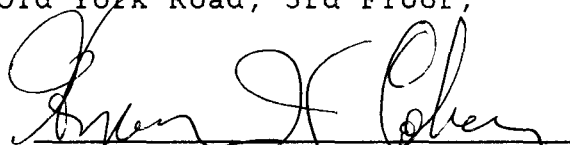
Attorney for Defendant

STATEMENT OF AUTHORITY

1. Maryland Rules of Procedure, Rule 3-421(h).

CERTIFICATION OF MAILING

I HEREBY CERTIFY that on this 19th day of April, 1990, a copy of the foregoing Motion for Sanctions was mailed, postage prepaid to Yvonne Dessesauere, 3748 Old York Road, 3rd Floor, Baltimore, Maryland 21218.


Hyman K. Cohen, Esquire
Attorney for Defendant

HYMAN K. COHEN

Attorney at Law

HYMAN K. COHEN *

(AREA CODE) 301

Second Floor

511 St. Paul Street

* (ADMITTED IN MARYLAND AND D. C.)

TELEPHONE 471166

BALTIMORE, MARYLAND 21202 2282

TELEFAX 752 8112

April 13, 1990

Ms. Yvonne Dessesaure
2748 Old York Road, 3rd Floor
Baltimore, MD. 21218

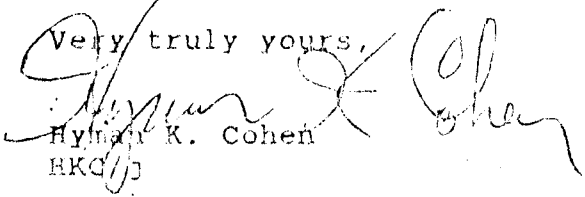
RE: Yvonne Dessesaure, Plaintiff v. St. Paul Rentals, Defendant
District Court of Maryland for Baltimore City
Case No. CV010-1011-90
Trial Wednesday, April 25, 1990 at 8:45 A.M.

Dear Ms. Dessesaure:

The above-captioned matter has appeared on diary which prompted a review of the file. It has been noted that Interrogatories had been mailed to you on Tuesday, March 27, 1990, and that answers to those Interrogatories were due from you "within 15 days after service of the Interrogatories." Inasmuch as today is the 17th day after the date on which you should have received the Interrogatories, and we still have not received the required answers from you, you are respectfully notified that unless we receive the written Answers to Interrogatories, under affidavit, by no later than Wednesday, April 18, 1990, we shall be constrained to request that the Court impose sanctions upon you, including the request that the litigation be dismissed with prejudice for your failure to comply with the Maryland District Rules.

Please give this letter your prompt attention.

Very truly yours,


Hyman K. Cohen
BKCD

cc: District Court of Maryland for Baltimore City
St. Paul Rental

MOTION EXHIBIT NO. 1.

YVONNE DESSESAURE

Plaintiff

V.

ST. PAUL RENTALS

Defendant

* IN THE
* DISTRICT COURT
* FOR
* BALTIMORE CITY
* CASE NO.: CV010-1011-90
* Trial 4/25/90 at 8:45 A.M.

* * * * *

ORDER FOR SANCTIONS

Upon Defendant's Motion for Sanctions, it appearing from the pleadings and the file that the Plaintiff has failed to file Answers to Interrogatories pursuant to the Maryland Rules, and that Defendant's Motion for Sanctions should be granted, it is hereby ORDERED this day of April, 1990, that:

1. The Plaintiff's action against the Defendant is hereby dismissed with prejudice; and
2. The Plaintiff shall pay the Defendant the sum of \$_____ as its reasonable expenses, including attorney's fees, caused by Plaintiff's failure to comply with the rules of discovery.
3. That the costs of these proceedings shall be paid by the Plaintiff.

JUDGE



DISTRICT COURT OF MARYLAND FOR

BALTIMORE CITY

City/County

Located at 501 E. Fayette St.

Court Address

Case No. CU011-01011-90

STATE OF MARYLAND

VS

ST PAUL PENTALS

Defendant

or

2531 ST. PAUL ST.

Address

YVONNE DESSESAURE

Plaintiff

BALTIMORE, MD. 21214

Telephone

CC#

SUBPOENA

STATE OF MARYLAND BALTIMORE

City/County

TO: OFFICER L.A. SHAWN MATHOLMERS

1620 EDISON HWY. (EASTERN DISTRICT)

BALTIMORE, MARYLAND 21213

YOU ARE HEREBY SUBPOENAED to appear in person before The District Court of Maryland at the above location on 4-25-90 at 8:30 o'clock A.M.

- To testify in the above case.
To answer to the charge(s) in the above case.
To answer to the State of Maryland for failing to obey a court order as follows:

- To produce the following documents:

This Subpoena was requested by YVONNE DESSESAURE whose address is 3748 Old York Rd. and whose telephone number is

Failure to obey this Subpoena may result in your being charged with contempt of court and being taken into custody under a warrant or body attachment.

3-26-90 Date

MAR

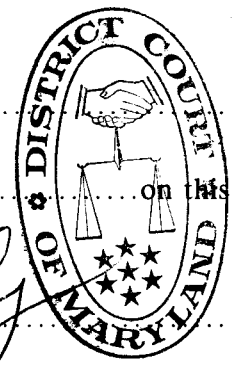
Clerk/Judge

I certify that I delivered the original of this Subpoena to 28 day of MARCH, 1990

[Signature]

[Signature] Constable

Title



DESCRIPTION OF PERSON SUBPOENAED: Driver's License # Sex Race Ht. Wt. Hair Eyes Complexion Other

9/8
NR



DISTRICT COURT OF MARYLAND FOR BALTIMORE CITY

Located at 501 E. Fayette St. Court Address Case No. CV011-01011-90

STATE OF MARYLAND

VS

ST. PAUL PENTALS
Defendant

or

2531 ST. PAUL ST.
Address

YVONNE DESSESAURE
Plaintiff

BALTIMORE, MD. 21214
Telephone

CC#

SUBPOENA

STATE OF MARYLAND BALTIMORE City/County:

TO: OFFICER LASHAWN MAHOLMERS
1620 EDISON HWY. (EASTERN DISTRICT)
BALTIMORE, MARYLAND 21213

YOU ARE HEREBY SUBPOENAED to appear in person before The District Court of Maryland at the above location on 4-25-90 at 8:30 o'clock A. M.

- To testify in the above case.
- To answer to the charge(s) in the above case.
- To answer to the State of Maryland for failing to obey a court order as follows:

2000 MAR 21 10 00 AM '90
DISTRICT COURT OF MARYLAND

- To produce the following documents:

This Subpoena was requested by YVONNE DESSESAURE whose address is 3748 Old York Rd. and whose telephone number is _____

Failure to obey this Subpoena may result in your being charged with contempt of court and being taken into custody under a warrant or body attachment.

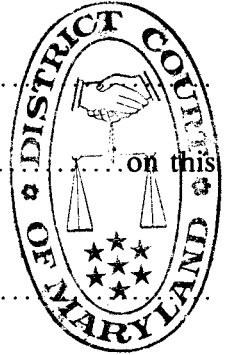
3-26-90
Date

MAR
Clerk/Judge

I certify that I delivered the original of this Subpoena to _____ on this _____ day of _____, 19_____

Signature

Title



DESCRIPTION OF PERSON SUBPOENAED: Driver's License # _____
Sex _____ Race _____ Ht. _____ Wt. _____ Hair _____ Eyes _____
Complexion _____ Other _____

YVONNE DESSESAURE * IN THE
 Plaintiff * DISTRICT COURT
 V. * FOR
 ST. PAUL RENTALS * BALTIMORE CITY
 Defendant * CASE NO.: CV010-1011-90
 * Trial 4/25/90 at 8:45 A.M.

* * * * *

INTERROGATORIES

Propounded pursuant to Maryland District Rules

To: Yvonne Dessesauere Plaintiff
 By: St. Paul Rentals Defendant

You are requested to answer the following Interrogatories:

a. These Interrogatories are continuing in character so as to require you to file supplementary answers if you obtain further or different information before trial.

b. Where the name or identity of person is requested, please state full name, home address, and also business address if known.

c. Unless otherwise indicated, these Interrogatories refer to the time, place and circumstances of the occurrence mentioned or complained of in the pleadings.

d. Where knowledge or information or possession of a party is requested, such request includes knowledge of the party's agents, representatives, and unless privileged, his attorneys. When answer is made by a corporate defendant, state the name, address and title of the persons supplying the information, and making the affidavit, and the source of his information.

e. The pronoun "you" refers to the party to whom these Interrogatories are addressed, and the persons mentioned in clause (d).

f. THE PARTY TO WHOM THE INTERROGATORIES ARE DIRECTED SHALL FILE A RESPONSE WITHIN 15 DAYS AFTER SERVICE OF THE INTERROGATORIES. The response shall answer each Interrogatory separately and fully in writing under oath, or shall state fully the grounds for refusal to answer any Interrogatory. The response shall set forth each Interrogatory followed by its answer. The response shall be signed by the party making it and shall be under affidavit.

1. State your full name, address, date of birth, marital status, and social security number.

2. State all addresses at which you have resided for the past 5 years, and the dates thereof.

3. Name the eyewitnesses to all or part of the occurrence.

4. Name all persons who investigated the cause and circumstances of the occurrence for you.

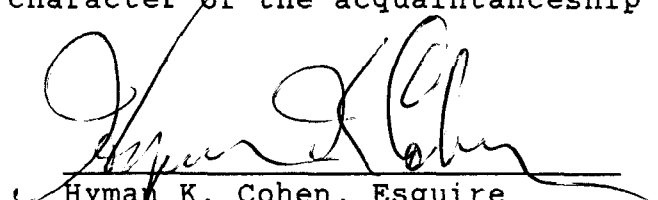
5. Name any person, not heretofore mentioned, having personal knowledge of facts material to this case.

6. Give a concise statement of the facts as to how you contend that any occurrence took place at 1748 Park Avenue for which you are entitled to damages from St. Paul Rentals, and specifically the date and circumstances on which you contend that the occurrence took place.

7. Name all experts whom you propose to call as witnesses.

8. Itemize the expenses made or incurred by you as a result of the occurrence.

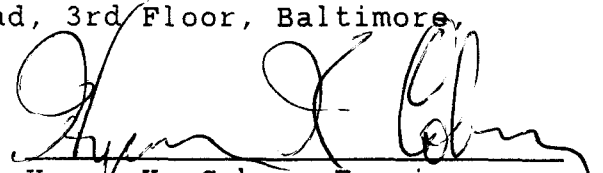
9. State which of the persons named in your answers are known or related to you and the extent and character of the acquaintanceship or nature of the relationship.


Hyman K. Cohen, Esquire
514 St. Paul Street
Baltimore, MD 21202-2282
(301) 547-1166

Attorney for Defendant

CERTIFICATION OF MAILING

I HEREBY CERTIFY that on this 27th day of March, 1990, a copy of the foregoing Interrogatories was mailed, postage pre-paid to Yvonne Dessesauere, 3748 Old York Road, 3rd Floor, Baltimore, Maryland 21218.


Hyman K. Cohen, Esquire
Attorney for Defendant



DISTRICT COURT OF MARYLAND FOR BALTO. CITY

Located at 501 E. FAYETTE ST. 21202
Court Address

Case No. QV010-1011-90
City/County

STATE OF MARYLAND

OR

YVONNE DESSESAURE

VS.

ST. PAUL RENTALS

Plaintiff

Defendant

TRIAL OR HEARING NOTICE

TO:
.....
.....
.....

[X] Notice of intent to defend has been filed by ATTORNEY FOR DEFT. #1 in the above case. The trial is set for April 25-90 at 8:45-9:30 AM You must be prepared for trial on this date.

[] The trial date in the above case has been changed to at

You are hereby summoned to appear at the above location.

[] Hearing on Motion to be held at

[] If Motion results in trial, trial [] will be held the same day [] will be rescheduled.

[] Continuation of oral examination to be held on at

[] Case has been continued to an indefinite date. You will be notified.

3-23-90
Date

T.A.
Clerk

Copies mailed to:

(1) YVONNE DESSESAURE
3748 OLD YORK RD. 3rd Flr.
BALTO., MD. 21218

(2) HYMAN K. COHEN
514 ST. PAUL ST.
BALTO., MD. 21202

(3)

(4)

NOTICE OF INTENTION TO DEFEND

Thomas Desjardins
Plaintiff

VS.

St. Paul Rental
Defendant

Case No: *1011-90*

Trial Date: *APR 25 1990 8-450*

If you contest the claim or any part thereof, you must file this Notice of Intention to Defend no later than 15 days after you receive this Summons and be present in court on the trial date. If you do not appear, judgment by default or the relief sought may be granted.

SEE REVERSE SIDE FOR IMPORTANT NOTICE

I intend to be present at the trial of this claim and demand proof of the Plaintiff's claim.

Explanation of defense: *The Defendant is not indebted to the Plaintiff for any sums of money; nor has it ever committed any wrongs for which it would be indebted to the Plaintiff.*

March 21, 1990
Date

Robert L. Cohen
Signature

Work Phone: *547-116* Home: _____

514 St. Paul St 21202
Address

Attorney

38 ENP 1/31

HYMAN K. COHEN

Attorney at Law

HYMAN K. COHEN *

(AREA CODE) 301
TELEPHONE 547-1166
TELEFAX 752-8112

Second Floor
514 St. Paul Street
BALTIMORE, MARYLAND 21202-2282

* (ADMITTED IN MARYLAND AND D. C.)

March 21, 1990

District Court of Maryland for Baltimore City
501 East Fayette Street
Baltimore, MD 21202

RE: Yvonne Desseure
v. St. Paul Rentals
Case No. CV010-01011-90
Trial: April 25, 1990 at 8:45 A.M.

Mr. Clerk:

Please enter the appearance of the undersigned on behalf of the Defendant, St. Paul Rentals, inasmuch as the Defendant intends to be present at the time of trial and demand proof of the Plaintiff's claim.

A copy of this letter, as well as a copy of the Notice of Intention to Defend is being forwarded to Ms Yvonne Desseure.

If you have any questions or comments concerning this letter, or the enclosure, please do not hesitate to communicate with me.

Very truly yours,


Hyman K. Cohen

HKC/j

Enclosure

cc: Ms Yvonne Desseure
Mr. Tim Casey



DISTRICT COURT OF MARYLAND FOR

Located at 501 E. Fayette St. Court Address

City/County

Case No. CV010-01011-90

YVONNE DESSESAURE (M.S.) vs. ST. PAUL RENTALS

Plaintiff/Judgment Creditor

Defendant/Judgment Debtor

Trial Date 4/25/90 Issue Date 2/26/90 Expiration Date 3/23/90 Received From County

REQUEST FOR SERVICE

Please serve the attached process on the person shown.

ORDER FOR SERVICE

You are hereby commanded to serve the attached process and to make your return promptly on this Order if served, and if you are unable to serve, you are to make your return on this Order and return the original process to the Court no later than ten days following the termination of the validity of the process.

Date 2/26/90 Clerk M. White

Case No. Newsweek P.P.S. Type of Paper

If service is not effected, send refund to:

RECEIVED MAR 12 1990

PROOF OF SERVICE

I CERTIFY

that I served a Summons by restricted delivery mail, return card attached delivery to TIM CASEY

Name Title on 3-8-90 Date

Description of Defendant: Race Sex

Wt Age Other

and left with him a copy of the Complaint and all supp

I posted the premises at

I was unable to serve because

I served the Writ of Garnishment on Wages on the delivery mail, return card attached delivery to

I served the Writ of Garnishment on Property on the delivery mail, return card attached delivery to

and promptly after service mailed a copy of the Writ last known address.

I served an Order to Appear for Oral Examination

restricted delivery mail, return card attached de

I served a Show Cause Order by restricted deliver,

delivery to

If return is made by an individual other than a sheriff or constable, I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information and belief and do further affirm I am a competent person over 18 years of age and not a party to the case.

Date 3-8-90 Signature [Signature] Title

Time Address if Private Process Server Telephone Number if Private Process Server

Plaintiff Mrs. YVONNE DESSESAURE

Plaintiff's Attorney

Address 3rd Fl. 3748 Old York Rd.

City, State, Zip BALTIMORE, Md. 21218

Defendant TIM CASEY / ST. PAUL RENTALS Serve on

Address 10417 HOLBROOK DR.

City, State, Zip Potomac, Md. 20854

Serve in MONTGOMERY county.

IMPORTANT

District Court of Maryland District 1, Baltimore City.

3-14-90

Please have person who served papers type or print his/her name, give correct street address and phone number. Please read enclosed notes. If there are any questions, please call 333-4657 or 333-4658.

Thank You,

Bernice Hartman

Garnishee/Agent [Redacted] Address [Redacted] City, State, Zip Potomac, Md. 20854 Special Instructions:

Table with 4 rows and 2 columns: Attempt, Date/Time. Row 1: 3-8-90 NR/LC 1331



DISTRICT COURT OF MARYLAND FOR

Located at 501 E. Fayette ST, Court Address

City/County Case No. CV010-01011-90

YVONNE DESSESAURE Name
3rd Fl. 3748 Old York Rd. Address

Tim Casey (ST. PAUL Rentals) Name
10417 Holbrook Dr. Address
POTOMAC, MD, 20854 County

- Original Summons
Renewal

- Serve by Sheriff
Send by restricted delivery mail.
Return to Plaintiff to serve.

REQUEST FOR SUMMONS

Please issue the summons in this case for at the above verified address.

ST. PAUL Rental

2-8-90 Date

Yvonne Desseasure Plaintiff/Attorney
3rd Fl. 3748 Old York Rd. Address

WRIT OF SUMMONS

The trial date in this case has been scheduled.

APR 25 1990 8:45 AM

DISTRICT #01-01 #21883 0120 R02 11000

You are summoned to appear for trial on 19 at 8:45 AM at the

location shown above. If you intend to present at the trial, you must file the Notice of Intention to Defend within 15 days of receiving this Complaint. Failure to file the Notice of Intention to Defend may result in a judgment by default or the granting of the relief sought.

2/26/90 Date

M. Wright Clerk

Must be served by 3/23/90

Return must be made promptly and in any event within the time during which the person served must respond to process.

TRIAL DATE NOTICE

Yvonne Desseasure Plaintiff

VS.

St. Paul Rental Defendant

Case No. 1011-90

Trial Date: APR 25 1990 8:45 AM

NOTICE TO PLAINTIFF

Rule 3-306 provides that prior to entry of final judgment, the Plaintiff shall inform the Court of any reduction in the amount of the claim by virtue of any payment made after the case is filed.

Therefore, if Affidavit Judgment has been requested in this case, and if no defense to the claim is made, the Plaintiff may be entitled to judgment on/or after the trial date, upon filing with the Court, information as to any payments or credits, and the amount claimed at the date judgment is to be entered.



DISTRICT COURT OF MARYLAND FOR

Baltimore City #12

Located at 501 E. Fayette St.

City/County Case No. CV010-01011-90

YVONNE DESSESAURE Plaintiff/Judgment Creditor

vs.

St. Paul Rentals Defendant/Judgment Debtor

Trial Date 3/27/90 Issue Date 1/12/90 Expiration Date 2/12/90 Received From County

REQUEST FOR SERVICE

Please serve the attached process on the person shown.

ORDER FOR SERVICE

You are hereby commanded to serve the attached process and to make your return promptly on this Order if served, and if you are unable to serve, you are to make your return on this Order and return the original process to the Court no later than ten days following the termination of the validity of the process.

Case No.

Type of Paper COMPLAINT

If service is not effected, send refund to:

1/12/90 Date

S. Dean Clerk

PROOF OF SERVICE

I CERTIFY

I that I served a Summons by restricted delivery mail, return card attached delivery to

Name Title ON Date Time

Description of Defendant: Race Sex Ht. Wt. Age Other

- I and left with him a copy of the Complaint and all supporting papers. I posted the premises at I was unable to serve because unable to serve Donna B. Brissey, she no longer works with St Paul Rentals

I served the Writ of Garnishment on Wages on the Garnishee by restricted delivery mail, return card attached delivery to

I served the Writ of Garnishment on Property on the Garnishee by restricted delivery mail, return card attached delivery to

and promptly after service mailed a copy of the Writ to the Judgment Debtor's last known address.

I served an Order to Appear for Oral Examination in Aid of Enforcement by restricted delivery mail, return card attached delivery to

I served a Show Cause Order by restricted delivery mail, return card attached delivery to

If return is made by an individual other than a sheriff or constable, I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information and belief and do further affirm I am a competent person over 18 years of age and not a party to the case.

1/21/90 Date Signature Title

Time Address if Private Process Server

Telephone Number if Private Process Server

Plaintiff MS. YVONNE DESSESAURE

Plaintiff's Attorney

Address 3rd FL 3748 Old York Rd

City, State, Zip Baltimore, Md 21218

Defendant ST. PAUL RENTALS/ Serve on

Address 2531 St. Paul Street

City, State, Zip Baltimore, Md. 21218

Serve in county.

Garnishee/Agent Serve on Donna Brissey

Address

City, State, Zip

Serve in County

Special Instructions:

Table with 4 rows and 2 columns: ATTEMPT, Date/Time. Row 1: Jan-19 @ closed. Row 2: Jan 1-90. Row 3: Row 4:



DISTRICT COURT OF MARYLAND FOR

#12

Located at

City/County

Court Address

Case No. CV010-01011-90

Plaintiff/Judgment Creditor

VS.

Defendant/Judgment Debtor

Trial Date 3/27/90 Issue Date 1/12/90 Expiration Date 2/12/90 Received From County

REQUEST FOR SERVICE

Please serve the attached process on the person shown.

ORDER FOR SERVICE

You are hereby commanded to serve the attached process and to make your return promptly on this Order if served, and if you are unable to serve, you are to make your return on this Order and return the original process to the Court no later than ten days following the termination of the validity of the process.

Case No.

Type of Paper

COMPLAINT

If service is not effected, send refund to:

Date

Clerk

PROOF OF SERVICE

I CERTIFY

that I served a Summons by restricted delivery mail, return card attached delivery to

Name

Title

ON

Date

Time

Description of Defendant: Race Sex Ht.

Wt Age Other

and left with him a copy of the Complaint and all supporting papers.

I posted the premises at

I was unable to serve because unable to serve because...

I served the Writ of Garnishment on Wages on the Garnishee by restricted delivery mail, return card attached delivery to

I served the Writ of Garnishment on Property on the Garnishee by restricted delivery mail, return card attached delivery to

and promptly after service mailed a copy of the Writ to the Judgment Debtor's last known address.

I served an Order to Appear for Oral Examination in Aid of Enforcement by restricted delivery mail, return card attached delivery to

I served a Show Cause Order by restricted delivery mail, return card attached delivery to

If return is made by an individual other than a sheriff or constable, I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information and belief and do further affirm I am a competent person over 18 years of age and not a party to the case.

Date

Signature

Title

Time

Address if Private Process Server

Telephone Number if Private Process Server

Plaintiff Mrs. YOUNG...

Plaintiff's Attorney

Address 3rd FL 3748 Old York Rd.

City, State, Zip Baltimore, Md. 21218

Defendant ST. LOUIS... [X] Serve on

Address

City, State, Zip Baltimore, Md. 21218

Serve in county.

[X] Serve on

Garnishee (Agent) Donna Brisse

Address

City, State, Zip

Serve in County

Special Instructions:

ATTEMPT

1 10/11-11/11/90 Date/Time

2 1/11/90 Date/Time

3 Date/Time

4 Date/Time



DISTRICT COURT OF MARYLAND FOR

Baltimore, City #12

Located at 501 F. Fayette St. Court Address Case No. CV010-01011-90

Yvonne DESSESAURE Name

3748 Old York Rd. Address

BALTIMORE, Md. 21218 County

Plaintiff/Judgment Creditor

- Original Summons
Renewal

ST Paul Rentals Name

2531 St. Paul St. Address

BALTIMORE, Md. 21218 County

Defendant/Judgment Debtor

- Serve by Sheriff
Send by restricted delivery mail
Return to Plaintiff to serve.

REQUEST FOR SUMMONS

Please issue the summons in this case for ST. PAUL RENTALS, Serve on DONNA BRISSEY at the above verified address.

Date

Yvonne Desseasure Plaintiff/Attorney

3748 Old York Rd. Address

WRIT OF SUMMONS

The trial date in this case has been scheduled.

You are summoned to appear for trial on MARCH 27, 1990, at 8:45 AM, at the location shown above. If you intend to present at the trial, you must file the Notice of Intention to Defend within 15 days of receiving this Complaint.

January 12, 1990 Date

Must be served by February 12, 1990

S. Dean Clerk

Return must be made promptly and in any event within the time during which the person served must respond to process.

YVONNE DESSESAURE

ST. PAUL RENTALS, Serve on DONNA BRISSEY

CV010-01011-90

MARCH 27, 1990 8:45 AM



DISTRICT COURT OF MARYLAND FOR

Baltimore, City #12

Located at 501 E. Fayette St. Case No. CV010-01011-90

Yvonne Dessezaure vs. ST Paul Rentals
3rd FL. 3748 Old York Rd. vs. 12531 St Paul St.
BALTIMORE, Md. 21218 vs. BALTIMORE, Md. 21218

- Original Summons, Renewal, Serve by Sheriff, Send by restricted delivery mail, Return to Plaintiff to serve.

REQUEST FOR SUMMONS

Please issue the summons in this case for ST. PAUL RENTALS, Serve on DONNA BRISSELY at the above verified address. Yvonne Dessezaure, Plaintiff/Attorney, 3748 Old York Rd.

WRIT OF SUMMONS

The trial date in this case has been scheduled. You are summoned to appear for trial on MARCH 27, 1990, at 8:45 AM, at the location shown above. Return must be made promptly and in any event within the time during which the person served must respond to process.

NOTICE OF INTENTION TO DEFEND

YVONNE DESSESAURE vs. ST. PAUL:RENTALS, Serve on DONNA BRISSELY

Case No.: CV010-01011-90 Trial Date: MARCH 27, 1990 8:45 AM

If you contest the claim or any part thereof, you must file this Notice of Intention to Defend no later than 15 days after you receive this Summons and be present in court on the trial date.

SEE REVERSE SIDE FOR IMPORTANT NOTICE

I intend to be present at the trial of this claim and demand proof of the Plaintiff's claim. Explanation of defense:

Date, Signature, Work Phone, Home, Address



DISTRICT COURT OF MARYLAND FOR

City/Court

NOTICE TO THE PERSON BEING SUED

Located at

You have been sued in this Court by the Plaintiff named herein, who claims that you owe him money. If you do not come to court on the trial date, the Court may enter a judgment against you for the amount claimed.

If you admit that you owe all of the money claimed and wish to pay it, you should contact the Plaintiff or the Plaintiff's attorney.

It is important that you come to court if you do not believe that you owe the amount of the claim against you; you will then have the right to make the other side prove the claim at a trial. If you intend to appear and contest the claim, you must sign the bottom part of this form, on the reverse side, marked "NOTICE OF INTENTION TO DEFEND." Tear it off and return it to the Court at the address shown on the other side within 15 days of the time you receive this paper. You must then be in court at the date and time of trial. Bring this paper with you and any others that you have received about your case, plus any letters, receipts, contracts, or other documents pertinent to the matter. You should also bring any witnesses who may be of help to you in explaining your case. If you want to have a witness summoned to appear, you should contact the clerk of the Court. (There will be a charge for issuing a summons for the witness.)

WRIT OF SUMMONS

The trial date in this case has been scheduled.

You are summoned to appear for trial on [date] at [time] at [location]. If you intend to present at the trial, you must file the Notice of Intention to Defend within 15 days of receiving this Complaint. Failure to file the Notice of Intention to Defend may result in a judgment by default or the granting of the relief sought.

Return must be made promptly and in any event within the time during which the person served must respond to process.

Must be served by [date]

NOTICE OF INTENTION TO DEFEND

Plaintiff

Case No. [number]

Trial Date [date]

If you or any part thereof, you must file this Notice of Intention to Defend in court on the trial date. If you do not, a judgment may be entered against you by default or the relief sought may be granted.

SEE REVERSE SIDE FOR IMPORTANT NOTICE

I intend to be present at the trial of this claim and demand proof of the Plaintiff's claim.

Explanation of defense:

Home: [phone number] Work Phone: [phone number]

Signature

Date

Address



DISTRICT COURT OF MARYLAND FOR Baltimore, City

Located at 501 E. Fayette St. Court Address Case No. CV010-01011-90 City/County

Yvonne Dessesaure
Name
3rd Fl. 3748 Old York Rd.
Address
Baltimore, Md. 21218
County
Plaintiff/Judgment Creditor

ST Paul Rentals
Name
12531 St. Paul St.
Address
Baltimore, Md. 21218
County CITY
Defendant/Judgment Debtor

- Original Summons
- Renewal

- Serve by Sheriff
- Send by restricted delivery mail.
- Return to Plaintiff to serve.

REQUEST FOR SUMMONS

Please issue the summons in this case for ST. PAUL RENTALS, Serve on DONNA BRISSEY at the above verified address.

.....
Date

Yvonne Dessesaure
Plaintiff/Attorney
3748 Old York Rd.
Address

WRIT OF SUMMONS

The trial date in this case has been scheduled.

You are summoned to appear for trial on MARCH 27, 1990, at 8:45 AM, at the location shown above. If you intend to present at the trial, you must file the Notice of Intention to Defend within 15 days of receiving this Complaint. Failure to file the Notice of Intention to Defend may result in a judgment by default or the granting of the relief sought.

January 12, 1990
Date

S. Dean
Clerk

Must be served by February 12, 1990

Return must be made promptly and in any event within the time during which the person served must respond to process.



DISTRICT COURT OF MARYLAND FOR Baltimore City

Located at 501 E. Fayette St. Case No. CV010-01011-90

In the matter of YVONNE DESSESAURE ST. PAUL RENTALS Defendant

PETITION FOR WAIVER OF COSTS

The Petitioner represents that the answers to the following questions are true.

- (a) Do you have any money? NO... How much? NA... Where? NA...
(b) Are you employed? NO... Where? NA...
(c) Are you self-employed? NO... Doing what? NA...
(d) What is your rate of pay? NA...
(e) Do you own an automobile? NO... Make NA... Year NA...
(f) Do you owe any money to others? NA... How much? NA... To whom? NA...
(g) Do you own any real estate? NO... Value? NA... Where? NA...
(h) Do you own any other property of any kind? NA... What? NA...
(i) Does anyone owe you money? NA... If so, state name, address and amount NA...
(j) Do you receive money from any other source, including disability benefits, investments? NA...
(k) If married, give the name and address of your wife/husband NA...
Does your wife/husband work? NA... Where? NA... Rate of pay NA...
(l) Do you have any children? NO... Names, ages and addresses: NA...
(m) What is your home address? 3748 Old York Rd... Telephone NA...

Petitioner further represents that he does not now have, nor is he able to obtain, any funds whatsoever from anyone, including family and associates, for counsel for payment of the fine, for the expense of an appeal for the cost of filing a Petition for Protection from Domestic Violence for civil filing fee.

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing document are true and correct.

Yvonne Desseasure Petitioner/Respondent

ORDER

Disapproved... Approved... Judge Alan J. Karlin Date 1/15/90

From: Jennifer Hafner
To: Ray Connor, Doris Byrne, Sheila Simms, Edward Papenfuse
Date: Monday, February 01, 2010 12:53:12 PM
Subject: MSA SC 5458-82-150, 1990 cases

RC
3-1-09
Scanned
107 pages

These are the remaining 1990 cases. I have updated the work order.

Mayor AND City Council VS LOUDEN Box 1003 Case No. 90211027 [MSA T2691-3640, OR/11/15/36]
File should be named msa_sc5458_82_150_[full case number]-####

DESSESAURE VS ST PAUL RENTALS Box 1003 Case No. 90211028 [MSA T2691-3640, OR/11/15/36]
File should be named msa_sc5458_82_150_[full case number]-####

LANGREHR VS HOBBS Box 1010 Case No. 90215022 [MSA T2691-3647, OR/11/15/43]
File should be named msa_sc5458_82_150_[full case number]-####

OZOLIN VS BOARD OF APPEALS, ET. AL. Box 1060 Case No. 90243035 [MSA T2691-3697, OR/11/16/9]
File should be named msa_sc5458_82_150_[full case number]-####

WILLIAMS VS BD. OF APPEALS, ET. AL. Box 1129 Case No. 90285042 [MSA T2691-3766, OR/11/16/77]
File should be named msa_sc5458_82_150_[full case number]-####

BOST VS DISTANCE Box 1204 Case No. 90331026 [MSA T2691-3841, OR/11/17/68]
File should be named msa_sc5458_82_150_[full case number]-####

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