

*No Fee paid*

United States District Court  
Southern District of Florida  
Ft. Pierce Division

JUDGE GRAHAM (MAGISTRATE JUDGE LYNCH)

Marcellus M. Mason, Jr.,  
Plaintiff,

vs.

HEARTLAND LIBRARY COOPERATIVE,  
HIGHLANDS COUNTY BOARD OF COUNTY  
COMMISSIONERS, et. al.,  
Defendants

) Case No.: 99-14027-CIV-GRAHAM

) **PLAINTIFF'S NOTICE OF APPEAL**

CLERK OF COURT  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT PIERCE DIVISION

FILED  
01 JUN 25 PM 12:44  
*[Signature]*

COMES NOW the Plaintiff, Marcellus M. Mason, Jr., pursuant Federal Rule of Appellate Procedure 3 and hereby submits his PLAINTIFF'S NOTICE OF APPEAL. Plaintiff intends to file an appeal with the United States Court of Appeals for the Eleventh Circuit. Plaintiff hereby gives notice that he intends to file an Appeal of the following final decisions rendered by this Court:

- 1. Order of June 20, 2001, dismissing the plaintiff's complaint. (DE 791).
- 2. Order of November 2, 2000 ratifying, approving, and affirming the Report and Recommendation of May 10, 2000 dismissing Diane Hunt, Ed Kilroy, Fred Myers, Mary Myers, Fred Carino, Carl Cool, J.Ross Macbeth, Leslie Wood, and Carolyn Hesselink and all individuals from the plaintiff's Second Amended Complaint. Plaintiff will also appeal this court's order dismissing his civil conspiracy claim.
- 3. Order of February 13, 2001, DE #466, ratifying, approving, and affirming the Report and Recommendation, DE #435, of November 22, 2000 dismissing Counts Three, Five, Seven, Eight, Ten, Eleven, Twelve, Thirteen, Fifteen, Seventeen, Eighteen, Nineteen, Twenty, Twenty-One, Twenty-Two, Twenty-Three, Twenty-Four, Twenty-Five, Twenty-Six and Twenty-Seven of the plaintiff's Fourth Amended Complaint. In summary plaintiff will appeal all dismissals of his Fourth Amended Complaint.
- 1. Order of March 27, 2001, DE #602, Order Requiring Plaintiff to File Response;
- 2. Order of March 27, 2001, DE #600, Order on Plaintiff's Motion to Compel;
- 3. Order of March 27, 2001, DE #599, Order on Defendants' Amended Emergency Motion For Protective Order;

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*[Signature]*

f 3/6/01, DE #523, ORDER denying [482-1] motion to determine the sufficiency of the answers and deem as admitted request for admission and motion to strike;

of February 27, 2001, DE #490, ORDER denying [490-1] motion for reconsideration of protective order quashing pltf's subpoena for motel and hotel records of Mary Myers and Paul [redacted];

r of 2/15/01, DE #471, ORDER granting Defendants' motion for protective order;

r of 10/19/00, DE #372, ORDER denying [353-1] motion for more definite statement or in alternative, motion for a finding of fact, denying [353-1] motion to strike.

er of March 30, 2001, Order Plaintiff's Motion To Compel DE #539.

er's Motion For Leave To Amend DE 491.

DER denying [460-1] Plaintiff's motion to disqualify rendered on 4/11/01, (DE #640).

ntiff hereby gives notice that he specifically reserves the right to appeal any and all rulings of court that have been adverse to the plaintiff and for which the plaintiff has filed objections.

ntiff does not under any circumstance waive his right to appellate review of any order of the court. The list of the orders for which the plaintiff will be seeking appellate review are far too numerous to list here and plaintiff will not risk losing appellate review by trying to specifically list every order of the court he seeks review on in this notice.

Dated this 23<sup>rd</sup> June, 2001

Marshall Mann

CERTIFY that a true and correct copy of the foregoing has been furnished via US Mail, prepaid, first class, on, June 23, 2001, to: Allen, Norton & Blue, 324 South Hyde Park Suite 350, Tampa, Florida, 33606

Marshall Mann

