

Pro Se 1 (Rev. 09/16) Complaint for a Civil Case

# UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Enoch Mayfields

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one)  Yes  No

-v-

Justin Parker  
Yelp Inc.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

U.S. DISTRICT COURT  
DISTRICT OF MASS.  
2017 APR - 3 A 10:43  
IN CLERK'S OFFICE

## COMPLAINT FOR A CIVIL CASE

### I. The Parties to This Complaint

#### A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Enoch Mayfields
Street Address	316 Crownshield Ave
City and County	Uxbridge and Worcester County
State and Zip Code	Massachusetts, 01569
Telephone Number	508-630-4534
E-mail Address	enoch@groundwaterlocate.com

#### B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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**Defendant No. 1**

Name Justin Parker  
Job or Title *(if known)* \_\_\_\_\_  
Street Address 75 Jacob Street  
City and County Middlesex County  
State and Zip Code Malden, 02148  
Telephone Number 781-738-0916  
E-mail Address *(if known)* \_\_\_\_\_

**Defendant No. 2**

Name Yelp Inc.  
Job or Title *(if known)* \_\_\_\_\_  
Street Address 706 Mission Street  
City and County San Francisco, San Francisco County  
State and Zip Code San Francisco, 94103  
Telephone Number 415-908-3801  
E-mail Address *(if known)* \_\_\_\_\_

**Defendant No. 3**

Name \_\_\_\_\_  
Job or Title *(if known)* \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address *(if known)* \_\_\_\_\_

**Defendant No. 4**

Name \_\_\_\_\_  
Job or Title *(if known)* \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address *(if known)* \_\_\_\_\_

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

Federal question  Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

## 1. The Plaintiff(s)

## a. If the plaintiff is an individual

The plaintiff, *(name)* Enoch Mayfields, is a citizen of the State of *(name)* Massachusetts.

## b. If the plaintiff is a corporation

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

## 2. The Defendant(s)

## a. If the defendant is an individual

The defendant, *(name)* Justin Parker, is a citizen of the State of *(name)* Massachusetts. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) Yelp Inc., is incorporated under the laws of the State of (name) San Francisco, and has its principal place of business in the State of (name) San Francisco.  
Or is incorporated under the laws of (foreign nation) San Francisco, and has its principal place of business in (name) San Francisco.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because *(explain)*:

**\$75,000 EACH DEFENDDANT**

The pain and suffering and lost of work because of defamation of character/libel, and Civil right violated.

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**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Justin Parker July 2015 racial verbal threats and physically harrass me on my property which violated my civil rights, Justin Parker as a computer expert utilize his expertise to social media threat, defammation of character and libel. The Yelp Inc. knew of this incident and continue to allow Justin Parker to use there social media platform to continue to harrass by libel my person.

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**IV. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Relief of damages of employment; including punitive and exemplary damages of \$133,000 of each defendant.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 3.30.17

Signature of Plaintiff

Printed Name of Plaintiff

  
Enoch Mayfields

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

US GOV'T District Court  
WORCESTER COUNTY

Enoch Mayfields )  
)  
)  
Plaintiff )  
Vs )  
  
Justin Parker )  
Yelp Inc. )  
Defendant )

Civil Action No.

U.S. DISTRICT COURT  
DISTRICT OF MASS.  
2017 APR -3 A 10:44  
IN CLERK'S OFFICE

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**COMPLAINT**

*The Plaintiff, Enoch Mayfields, resides address 316 Crownshield Ave, Uxbridge, MA, 01569. The defendant Justin Parker resides at 75 Jacob Street, Malden, MA 02148, and defendant 'Yelp Inc.' a corporate entity resides 706 Mission Street, San Francisco, CA 94103.*

**NATURE OF ACTION AND JURISDICTION**

This is a Equality Act 2010 seeking damages and injunctive relief against Defendants for committing acts, under color of law, and the discrimination against race. Including, Bias motivations and underlying conduct M.G.L c. 12. §§ 11H, 11I, 11J, and M.G.L. ch. 260 §4 Section 5b, and Slander: Mass. Gen. Laws ch. 260, §§ 4, Libel: Mass. Gen. Laws ch. 260, §§ 4, with defendants hate crime M.G.L c, 265 §§ 39. 12. §§ 11H, 11I, 11J.

The defendant purposely committed act of verbal discrimination and threatened to assault plaintiff 'hate crime' and continues to slander/libel plaintiff continued to this day.

- 1.) On or about September 20, 2014, plaintiff met defendant at his home to quote a job opportunity to build an addition to his home of his fiancé which defendant must have completed prior to May 2015.
- 2.) Plaintiff, given defendant a quote on or about September 28, 2014 in demo, and various other projects that must be performed prior to building the addition that defendant had to be completed prior to May 2015.
- 3.) Defendant, could not afford the initial investment of \$169k for the complete build out of addition and demo; including rebuild and Etc of said property. Defendant convince plaintiff if an agreement to perform the work with a budget of \$119k can be done, then the plaintiff could be awarded the job.
- 4.) Plaintiff, knew that defendant had over \$50k of work that needed to be complete which included, demo existing rear foundation average size on or about 25'x40' with existing 7' footing and foundation wall buried under the premise of old addition which was cracked/not reusable.
  - b.) a concrete slab that covered over the rear house of the said perimeter. And an existing addition that needed to be removed.
  - c.) including, removal of retaining wall with a 5' burial of the existing perimeter of rear house and a top of grade 4' wall expanding 20'.
  - d.) Remove 3 large maple trees with an average circumference of 7' in a tight area.
  - e.) Rear lot clearing of debris off premise.

- f.) To enclose the existing wall after demo of previous addition with a 2x4 wall structure.
  - g.) reorganize the current kitchen and remove and replace existing plumbing and electrical throughout house since old wiring had to be replaced to reroute electrical and plumbing.
  - h.) And, sheetrock, wall and paint, so house can be livable while construction was going.
  - i.) Remove an existing 2<sup>nd</sup> floor window and enclose for egress compliance.
  - j.) Open a 2<sup>nd</sup> interior wall in making a single room out of two of rear of house to new addition.
  - k.) All construction to be performed including, painting, sheetrock, framing and Etc.
  - l.) 1<sup>st</sup> floor removal of air conditioning wall mount and enclosing wall of rear facing with 2x4 construction and patch to enclose.
  - m.) Installing a new exterior door.
  - n.) Sealing off areas and removing siding
  - o.) Backfill dirt when old foundation was removed.
  - p.) Hire architect and Etc
  - q.) Hire machinery to fulfill all exterior work
- 5.) Plaintiff, accepted terms even though budget was so tight.
- 6.) Defendant, told plaintiff that all building permits were completed and given plaintiff a lot plan. Plaintiff, agreed that work will be commence right after contract was signed and defendant told plaintiff that if work is not done before May 2015 that plaintiff will personally answer to defendant. Defendant express to plaintiff that other contractors



walk away from job because the time to complete was unrealistic. Plaintiff, felt it could be achieved as long as 'No Vairance' was needed.

- 7.) Defendant, given lot plan to plaintiff and made known to plaintiff that defendant personally went to building dept and there wasn't any problem with variance and given a Lot Plan that was approved by building dept.
- 8.) Defendant fiancé signed contract as owner of house with defendant and given deposit to commence phase 1 of work above line A-Q.
- 9.) Plaintiff, assisted defendant and defendant fiance' with countless hours in meeting on weekends to fit within defendant schedule to go pick out fixture and Etc in helping make this a smooth transition in building defendant addition.
- 10.) Plaintiff ask defendant in calling in inspection of work prior to completing phase one of job - but defendant told plaintiff that he didn't have time in finishing up submission of building department permit and defendant wanted plaintiff to just complete work because of the timing constraint.
- 11.) Plaintiff informed defendant that a permit had to be completed before addition is built but defendant disagreed and became very irritated that plaintiff couldn't proceed with phase #2 of job. Defendant had his fiancé call plaintiff in urgency that work needed to be done and if permit was pulled this will slow progress and May 2015 deadline could not be met. Plaintiff informed both defendant and fiancé that it will not be an issue in pulling permit and not having job stagnated. Defendant, strongly urge plaintiff against it but accepted that plaintiff wishes to pull permit.

- 12.) Plaintiff went to building department and was informed that no addition can be built without an 'Variance' by the town. Plaintiff argued with building department on behalf of defendant and produce evidence that a variance was not needed because defendant had already discussed this wasn't going to be a problem. Building Dept. became very agitated with plaintiff and given plaintiff document(s) to produce with all necessary additional compliance needed and additional architectural lot planning/zoning that needed to be done.
- 13.) Plaintiff, met with defendant and defendant fiancé and defendant became outrage at plaintiff and started blaming plaintiff that job is now going to be stagnated and plaintiff better find away or otherwise defendant will pay a heavy price. Plaintiff went out of his way and filed all paperwork with the signature of the defendant to prepare for a meeting with town in obtaining variance approval. Plaintiff did everything to assist with variance compliance and defendant was calm while procedure were occurring for variance. Defendant even recommended additional work to plaintiff by referring a friend who need kitchen remodeling.
- 14.) Defendant became outrage when more paperwork had to be prepared and towns variance meeting had to be prolong which made defendant angered and explosive argument by defendant to plaintiff; and racial remarks began.
- 15.) Defendant contact his friend to stop paying plaintiff and another issue began with defendant friends in completing there work.
- 16.) Defendant wanted all his investment returned to him immediately no matter 'What work was completed' otherwise defendant told plaintiff he will go to the police

and inform the Police that (vertabim) 'A black man came to his house and swingled them out out money'.

- 17.) Plaintiff received death threats from defendant by phone and defendant being a computer experts in Social Media began to use defamation and libel against plaintiff.
- 18.) Plaintiff express to defendant that unless permits complete work cannot be continued until all work was in compliance with building permit. Defendant given plaintiff one last chance to build addition and forget about permit otherwise defendant will move forward in putting plaintiff in prison. Plaintiff disagreed and defendant began his torment on plaintiff.
- 19.) Defendant informed plaintiff that he personally knew and was friends with the Captain of the Malden police Dept, and that the Captain will personally handle me without the law. And that defendant had family members who were relatives to Mayor Deval Patrick and they will help him put plaintiff in prison.
- 20.) Defendant came to plaintiff house in threatening to do bodily harm and stalked his vehicle at end of driveway. Defendant followed plaintiff fiancé and threatened to do bodily harm.
- 21.) Defendant followed plaintiff daughter after plaintiff daughter came off school bus on crownshield ave, Uxbridge, MA 01569 the place of residence of plaintiff.
- 22.) Plaintiff on or about June/July 2015 received a call from the Captain of Police Dept. of Malden, MA and wanted to sit down with the plaintiff to discuss the matter at the police department. Plaintiff contact his Attorney Del Deprete in Framingham, MA. Plaintiff Attorney Del Deprete contacted the Captain of Police to meet in his office to go

over the complaint. Capt. Of Malden police went over complaint with plaintiff and told plaintiff there will be an investigation if criminal charges would be enforce on plaintiff.

Plaintiff produced all document(s) of work and receipts of all work.

- 23.) Atty Del Deprete ask the position of the Captain of Police of previous remarks made by the defendant. Defendant has left countless phone harassment, threats, and racial bias to plaintiff of physically harming plaintiff, plaintiff fiancé and children.
- 24.) Captain of Malden Police ask to hear some of the saved messages that the plaintiff kept of the many that were erased (which plaintiff was advice not to erase anymore of the hate crime and harassment of defendant.). Captain of Police dept. stated, 'He had no personal relations or ever knew defendant.'
- 25.) Plaintiff filed with the Uxbridge District Ct. a temporary restraining order of defendant on 8-15-2015
- 26.) Plaintiff made a police report in November 2015 of continuous harassment and bodily threat of defendant.
- 27.) Defendant followed plaintiff to future client house and harassed the 'plaintiff client' by phone/text message (plaintiff client is an employee of the Framingham State Police.) and defendant informed 'plaintiff client' what defendant was planning to do to harm to plaintiff.
- 28.) Defendant told 'plaintiff client' that defendant was going to murder plaintiff and made racial remarks regarding plaintiff.
- 29.) Captain of Police also requested to see 'plaintiff other client' text messages/voice mail that defendant threatened plaintiff to 'plaintiff client'.

- 30.) The plaintiff employer was forced closed fall of 2015 by the mass social media platforms that defendant conjured up. Plaintiff spent countless months in contacting each social media in removing the hate crime. Plaintiff contacted Yelp Inc. and forwarded over all necessary document(s) of defendant hate crime. Yelp inc. management team informed plaintiff that Yelp will not tolerate this kind of action.
- 31.) Till this day, Yelp inc. continues to allow defendant slander/libel to occur on there social media platform. Defendant used facebook, googles, twitter, and dozen and dozen different social media platforms to push his agenda. Defendant till this day uses different names as 'Dave McDonald' to disguise his name but uses the exact same verbage in each of his slanderous action.
- 32.) Defendant till this day, continues to drive by and come on plaintiff property at night (foot tracks) between the hours 1am – 3am in attempt to do bodily harm to plaintiff.
- 33.) Plaintiff has even emailed defendant to stop harassing plaintiff by offering money to stop defendant diabolical action.
- 34.) Defendant has contacted in 2015 Daniel Hunter (The bulletin) Case No #17-40033-TSH (pg. 1-6) to help assist him in taking plaintiff down, to work together in destroying plaintiff. Defendant contacted in 2015 plaintiff in bolstering remarks of his intention to remove (verbatim) 'This Niger off the face of the earth!' end quote.

## **CAUSES OF ACTION**

- r.) The foregoing allegations are incorporated as if re-alleged herein
  - a. Tort of defendant intentional infliction of emotional distress the restatement (2<sup>nd</sup>) of Tort, Section 46.****
- s.) Defendant harassing plaintiff violates laws. Ch. 260. § 4. And Gen. Laws. Ch. 260, § 4.**
- t.) Plaintiff is in fear of his life and family from defendant**
- u.) Plaintiff suffered employment loss because of bias action of defendant**
- v.) Defendants acted intentionally and with callous disregard for Plaintiff known statutory and constitutional rights.**
- w.) As a direct and proximate results of the Defendants violations of Plaintiff statutory and constitutional rights as described herein, Plaintiff has suffered damage to reputation, humiliation, embarrassment, mental and emotional anguish and distress and violation of rights.**

**PRAYER FOR RELIEF**


WHEREFORE, Plaintiff, Enoch Mayfields, request judgment against Defendants as follows:

- A. For appropriate declaratory relief regarding the unlawful and unconstitutional acts and practices of Defendants.
- B. For appropriate compensatory damages in an amount of \$260,000
- C. Stop defendant from continuous defamation of character and biased reporting on social media
- D. For such other and further relief to which Plaintiff may show himself justly entitled.

**PLAINTIFF REQUESTS TRIAL BY JURY ON ALL ISSUES SO TRIABLE.**

Respectfully submitted,

Enoch Mayfields  
316 Crownshield Ave  
Uxbridge, MA 01569  
508-630-4534



3-30-17