

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA  
CIVIL DIVISION**

**CASE NO:**

**ALICE MALDONADO,**

**Plaintiff,**

**vs.**

**HOME DEPOT U.S.A., INC.,**

**Defendant**

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**COMPLAINT**

COMES NOW, Plaintiff, **ALICE MALDONADO**, by and through the undersigned attorneys and sues the Defendant, **HOME DEPOT U.S.A., INC.** (hereinafter **HOME DEPOT**), and alleges as follows:

1. This is an action for damages that exceeds the sum of FIFTY THOUSAND DOLLARS (\$50,000.00), exclusive of costs, interest and attorneys' fees (The estimated value of Plaintiff's claim is in excess of the minimum jurisdictional threshold required by this Court). Accordingly, Plaintiff has entered "\$50,001" in the civil cover sheet for the "estimated amount of the claim" as required in the preamble to the civil cover sheet for *jurisdictional purposes only* (the Florida Supreme Court has ordered that the estimated "amount of claim" be set forth in the civil cover sheet for data collection and clerical purposes only). The actual value of Plaintiff's claim will be determined by a fair and just jury in accordance with Article 1, Section 21, Fla. Const.

2. Plaintiff is a natural person residing in PALM BEACH COUNTY, Florida.

3. At all times material to this action, **HOME DEPOT** is/was a Foreign Profit Corporation authorized to do business in the State of Florida.

4. At all times material hereto, Defendant **HOME DEPOT**, was the owner and in possession of a certain business known as, **HOME DEPOT U.S.A., INC.** located at 3860 Northlake Blvd, Lake Park, FL 33403, said business being that of a retail store, open to the general public, including the Plaintiff herein.

5. On or about October 16, 2025, Plaintiff, **ALICE MALDONADO**, visited Defendant's premises located at the above address as a business invitee.

**COUNT I – CLAIM OF NEGLIGENCE AGAINST  
DEFENDANT, HOME DEPOT**

6. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 6 above and further states:

7. At said time and place, Plaintiff, **ALICE MALDONADO**, was a guest at **HOME DEPOT**, as described above, lawfully upon the premises of the Defendant, who owed Plaintiff a non-delegable duty to exercise reasonable care for her safety.

8. At said time and place, Defendant breached its non-delegable duty owed to Plaintiff by committing one or more of the following omissions or commissions:

- a) Negligently failing to maintain or adequately maintain the premises, thus creating a hazard to members of the public utilizing said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition for Plaintiff;
- b) Negligently failing to inspect or adequately inspect the premises/shelf, as specified above, to ascertain whether the items on the shelf constituted a hazard to patrons utilizing said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition to the Plaintiff;

- c) Negligently failing to inspect or adequately warn the Plaintiff of the danger of the premises/shelf, when Defendant knew or through the exercise of reasonable care should have known that said premises/shelf was unreasonably dangerous and that Plaintiff was unaware of same;
- d) Negligently failing to correct and/or maintain and/ repair and/or adequately correct and/or replace the unreasonably dangerous condition of the items on the shelf on Defendant's premises, when said condition was either known to Defendant or had existed for a sufficient length of time such that Defendant should have known of same had Defendant exercised reasonable care;
- e) Negligently failing to have adequate staff on duty and/or assigned to the task of inspecting/maintaining the premises/shelf for dangerous conditions;
- f) Negligently failing to train and/or inadequately training its employees to inspect the premises for dangerous conditions;
- g) Negligently failing to follow its own corporate policy(ies) regarding the dangerous condition as well as inspection and routine maintenance of the floor;
- h) Negligently failing to act reasonably under the circumstances;
- i) Negligently failing to render aid to the Plaintiff after he was hit or negligently rendering aid to the Plaintiff after the incident.

9. As a result, while Plaintiff was visiting Defendant's business and as she was shopping, she was hit by a boxed vacuum cleaner that was moved from a shelf above her and placed on ladder by a Home Depot employee, which then abruptly fell, on Plaintiff's neck, back and shoulder as a result she sustained injuries as set forth.

10. As a direct and proximate result of the negligence of Defendant, Plaintiff suffered bodily injury in and about his body and extremities, resulting in pain and suffering, disability, disfigurement, permanent and significant scarring, mental anguish, loss of the capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earning,

loss of the ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff demands judgment in her favor against Defendant, **HOME DEPOT**, in excess of the minimum jurisdictional limits of this Court for compensatory damages, including incidental and consequential damages, post-judgment interest, costs, and for any other relief this Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff, **ALICE MALDONADO**, demands trial by jury on all issues triable as of right by jury.

Respectfully Submitted this 26th day of March 2026.

**/s/: Byron T. Jackson**  
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