

Affidavit of Thomas Burgess

The following Affidavit is made under the penalty of perjury pursuant to 28 U.S.C. 1746.

1. The following Affidavit is for Case # 3:25-cv-00463
United States District Court for the Middle District of
Tennessee.
2. My name is Thomas Burgess, I am 40 years old, and
I am the plaintiff in the above styled case number and
I am pro-se in this case.
3. The defendant in this case is Western Express, which
is a Semi Truck company based in Nashville Tennessee.
4. This case began in the United States District Court for
the Southern District of Florida, Case #
9:25-cv-80273-AMC.
5. While this case was in the Southern District of Florida the
defendant made a request to change venue to the
district court in Nashville Tennessee.

6. In the defendant's request to change venue they submitted an Affidavit to aid their request to change venue to Tennessee, See (DE # 12) S.D. of Fla.
7. In the defendant's affidavit they committed perjury by saying they don't come to Florida.
8. I have cell phone video of the defendant's trucks in South Florida and I also talked to their drivers who admitted that they come to South Florida.
9. I opposed the motion to change venue to Tennessee but was unsuccessful.
10. My complaint being transferred to Tennessee is a miscarriage of justice, and I immediately being doing research on how to get my complaint transferred back to South Florida, because Florida is the proper venue for my complaint, not Tennessee.
11. I also wanted to gather more evidence to prove the defendant committed perjury in their affidavit.

12. It should be known that my current employment is a semi truck driver and I driven in 37 States in my Semi Truck.
13. On 4-29-2025 I was in my Semi Truck taken a load to Florida and happen to be passing through Nashville Tennessee, and I stopped at the federal court house in Nashville to submit in an acceptance of emails from the clerk which the court docket should show, I also got some other paper work from the clerk.
14. After I left the court house on 4-29-2025 I went to the defendant's headquarters in Nashville Tennessee.
15. The clerk printed me out the notice of appearance filed by the defendant's attorney in Tennessee which listed the attorney's address.
16. I never knew the defendant had in-house lawyers until after the notice of appearance was filed in Tennessee.

17. I went to the defendant's headquarters to speak with the attorney's for the defendant, and I had 3 reasons why I needed to see the defendant's attorney at their headquarters.
18. The reason why I went to the defendant's headquarters was in full relation to my pending lawsuit with the defendant.
19. I am representing myself so it is my Six Amendment right to request contact with the lawyers.
20. Before I arrived at the defendant's headquarters I sent the lawyer on this case emails of photos, these photos are evidence that I intend to show the jury in this case if there is a trial.
21. Every email I sent the lawyers for the defendant was in relation to my pending lawsuit.
22. I have never harassed or intimidated any of the lawyers for the defendant, my intentions were to be professional.

23. I was acting as my own attorney, process server, and investigator under my Six Amendment right to do so when I walked into the doors of the defendant's headquarters.
24. I wanted to request the lawyers to waive service of summons in the new venue. which I had a copy of a waiver for them to sign.
25. I was also there acting as my own investigator, again the defendant lied in a affidavit and I am collecting evidence to prove they lied in their affidavit, in support of my up coming petition to reinstate venue back to the Southern District of Florida.
26. And I was also there to let the attorneys know that I was willing to pay half for a mediator.
27. I immediately identified myself with my identification card and mention the attorney's name, shortly after I was asked to leave which I immediately did, and shortly after that I was issued a notice not to come back which I will honor.

28. The attorney's are now falsely accusing me of harassment and intimidation, which is false and they have no evidence to support such allegations.
29. Currently I am drafting a complaint with the Tennessee bar association against the attorney's for the defendant based on them aiding a witness they knew was lying in an affidavit.
30. It is a crime for a lawyer to aid their client in a lie, and it can get an attorney disbarred.
31. Again the defendant has in-house counsel, therefore in-house counsel knows for a fact that their client brings loads into Florida, I have found a case that was based out of Florida where the defendant was sued by a Florida resident and I am currently looking for more cases.
32. Again I am willing to mediate in attempt to resolve my grievance with the defendant.
33. The defendant has told many lies since the beginning of this case.

34. I would never do anything unprofessional and any contact I attempt to make with any lawyers for the defendant will be in relation to my pending lawsuit and nothing more.
35. The cell phone videos I have are solid evidence that proves the defendant lied in that affidavit in order to aid their request to change venue, and I believe in-counsel aided in that lie.
36. I will be sending my affidavit to the clerk by U.S. mail and request this court to treat my motions sent out by U.S. Mail pursuant to the "Mail Box" rule, pursuant to Houston vs. Lack, 487 U.S. 266 (1988).
37. Please remember that I am a semi truck driver and I am in sometimes five different States a day.
38. Also please note that I have many pending lawsuits going on and I talk to the attorneys on all those cases and I have never been accused of anything by them

39. If this case makes it to trial it will not be my first trial that I did prose, and I will be making a request to impeach the witness on the witness stand after showing the jury my cell phone videos.
41. It should also be known that I don't know how to email the cell phone videos that I have as evidence in my phone, so I was going to allow the attorneys for the defendant to view them from my phone but they refused to see me.
42. The attorneys for the defendant never responded to the emails I sent them – they never asked me why did I email ten photos to them, they just made up their own false allegation with no evidence to back it.
43. Again I make all the above statements under the Penalty of perjury pursuant to 28 U.S.C. 1746

Dated: 4-30-2025

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