

LMR,MOTREF,REF_SETTLEMENT

U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:16-cv-24214-DLG

Floyd v. City of Miami Beach et al
Assigned to: Judge Donald L. Graham
Referred to: Magistrate Judge Lisette M. Reid
(Settlement)
Case in other court: 17-12741-G
Cause: 42:1983 State Prisoner Civil Rights

Date Filed: 10/04/2016
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff**Contrell Leo Floyd**

represented by **Contrell Leo Floyd**
190161483
Miami-Dade County-PDC
Pretrial Detention Center
Inmate Mail/Parcels
1321 NW 13th Street
Miami, FL 33125
PRO SE

V.

Defendant**City of Miami Beach**
*Miami Beach City Hall***Defendant****K. Espada**
Miami Beach Police Officer

represented by **Maryjeanne Marrero**
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Defendant

Orisme

Miami Beach Police Officer

represented by **Robert L. Switkes**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradley Francis Zappala
 (See above for address)
ATTORNEY TO BE NOTICED

Maryjeanne Marrero
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/07/2020	141	ORDER OF REFERENCE TO SETTLEMENT CONFERENCE to United States Magistrate Judge Lisette M. Reid for an Early Settlement Conference within (30) days. Signed by Senior Judge Donald L. Graham on 10/7/2020. <i>See attached document for full details.</i> (drz) (Entered: 10/07/2020)
08/28/2020	140	ORDER ADOPTING REPORT AND RECOMMENDATIONS, 130 Report and Recommendations is hereby RATIFIED, AFFIRMED and APPROVED in its entirety; denying 90 Motion to Dismiss. Signed by

		Senior Judge Donald L. Graham on 8/28/2020. <i>See attached document for full details.</i> (ra) (Entered: 08/28/2020)
08/20/2020	139	PLAINTIFF'S RESPONSE to DEFENDANT OFFICER'S OBJECTION TO MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION RE 134 Objections to Report and Recommendations by Contrell Leo Floyd. (drz) (Entered: 08/20/2020)
08/07/2020	138	ORDER granting 137 Motion for Extension of Time to File His Responses as to 134 Objections to Report and Recommendations (Other). ORDERED AND ADJUDGED that the Motion is GRANTED. Plaintiff shall have fourteen (14) days from the receipt of this Order in which to file his responses. Signed by Senior Judge Donald L. Graham on 8/7/2020. <i>See attached document for full details.</i> (drz) (Entered: 08/07/2020)
08/07/2020	137	Plaintiff's MOTION for Extension of Time to File His Responses as to 134 Objections to Report and Recommendations by Contrell Leo Floyd. (drz) (Entered: 08/07/2020)
07/28/2020	136	Plaintiff's Concerns with The Magistrate Judge's Report and Recommendation re 130 Report and Recommendations by Contrell Leo Floyd. (drz) (Entered: 07/28/2020)
07/22/2020	135	PAPERLESS ORDER denying without prejudice 109 Motion to Strike witnesses. Defendants asked for an opportunity to file a motion for summary judgment in their objections to the Undersigned's recent Report. In the alternative, Defendants requested that the Court reject the Report's conclusion and, therefore, grant their Motion to Dismiss. If either relief is provided, it renders the question of whether witnesses should be stricken premature or moot, respectively. Accordingly, the motion is denied without prejudice to re-filing. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 07/22/2020)
07/21/2020	134	OBJECTIONS to 130 Report and Recommendations by K. Espada, Orisme. (Switkes, Robert) (Entered: 07/22/2020)
07/21/2020	133	NOTICE by K. Espada, Orisme re 132 MOTION for Extension of Time to File Response/Reply/Answer as to 130 REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 117 REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 90 MOTION to Dismiss with Prejudice 37 Amended Complaint of <i>Non Objection to the Requested Relief (Switkes, Robert)</i> (Entered: 07/21/2020)
07/21/2020	132	PLAINTIFF'S MOTION for Extension of Time to File Objection to 130 REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 117 REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 90 MOTION to Dismiss with Prejudice 37 Amended Complaint As To <i>Plaintiff's Claims for Monetary Damages</i> filed by K. Espada by Contrell

		Leo Floyd. (drz) (Entered: 07/21/2020)
07/07/2020	131	PAPERLESS ORDER withdrawing 117 Report and Recommendations. See [ECF No. 130]. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 07/07/2020)
07/07/2020	130	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 117 REPORT AND RECOMMENDATIONS and 90 MOTION to Dismiss with Prejudice 37 Amended Complaint <i>As To Plaintiff's Claims for Monetary Damages</i> filed by K. Espada, Orisme; Recommending that Defendants' Motion be DENIED [ECF No. 90] and that this case PROCEED on Plaintiffs claim for compensatory and punitive damages against Defendants Orisme and Espada. In accordance with this Report, the previous Report is WITHDRAWN. [ECF No. 117]. Objections to R&R due by 7/21/2020 Signed by Magistrate Judge Lisette M. Reid on 7/7/2020. <i>See attached document for full details.</i> (br) (Entered: 07/07/2020)
05/26/2020	129	Request for Docket Sheet by Contrell Leo Floyd (Docket Sheet Mailed). (drz) (Entered: 05/26/2020)
05/08/2020	128	PLAINTIFF'S REPLY to Defendant Officer's Response to his Objections to Magistrate Judge's Report and Recommendation re 127 Response to Objection to Report and Recommendations by Contrell Leo Floyd. (drz) (Entered: 05/08/2020)
04/22/2020	127	RESPONSE TO OBJECTION to 117 Report and Recommendations by K. Espada, Orisme. (Zappala, Bradley) (Entered: 04/22/2020)
04/10/2020	126	PAPERLESS Minute Entry for proceedings held before Magistrate Judge Lisette M. Reid: Settlement Conference held on 4/10/2020. Settlement Conference continued until further Order of the Court. Total time in court: 2 hour(s) : 30 minutes. Attorney Appearance(s): Robert L. Switkes, Other appearances: Contrell Leo Floyd. (Digital 14:27:57) (br) (Entered: 04/10/2020)
04/09/2020	125	Mediation Conference Statement by Contrell Leo Floyd. (drz) (Entered: 04/09/2020)
04/07/2020	124	OBJECTIONS to 117 Report and Recommendations by Contrell Leo Floyd. (jas) (Entered: 04/07/2020)
04/06/2020	123	NOTICE of Compliance by Contrell Leo Floyd re: 118 Order Directing Plaintiff to provide the Defendants with contact information for Witnesses Listed. (jas) (Entered: 04/06/2020)

03/30/2020	122	ORDER granting 119 Motion for Extension of Time to File Objections to Magistrate Judge Report and Recommendations. Objections to R&R due by 4/7/2020. Signed by Senior Judge Donald L. Graham on 3/30/2020. <i>See attached document for full details.</i> (kpe) (Entered: 03/30/2020)
03/26/2020	121	ORDER to make plaintiff available by telephone for the settlement conference set for 4/9/20 @2:00 p.m. Signed by Magistrate Judge Lisette M. Reid on 3/26/2020. <i>See attached document for full details.</i> (br) (Entered: 03/26/2020)
03/26/2020	120	ORDER Setting Telephonic Settlement Conference (Settlement Conference set for 4/9/2020 02:00 PM in Miami Division before Magistrate Judge Lisette M. Reid.) Signed by Magistrate Judge Lisette M. Reid on 3/26/2020. <i>See attached document for full details.</i> (br) (Entered: 03/26/2020)
03/24/2020	119	MOTION for Extension of Time to File Objections to 117 REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 90 MOTION to Dismiss with Prejudice 37 Amended Complaint <i>As To Plaintiff's Claims for Monetary Damages</i> filed by K. Espada, Orisme Recommending that Plaintiffs claims for compen by Contrell Leo Floyd. (drz) (Entered: 03/24/2020)
03/18/2020	118	ORDER DIRECTING Plaintiff to provide the Defendants with contact information for Witnesses Listed NLT Friday, 4/17/2020 109 Second MOTION to Strike <i>Plaintiff's Witnesses</i> filed by K. Espada, Orisme, Additionally, the Plaintiff shall file Objections to R&R NLT Monday, 4/6/2020) re 117 REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 90 MOTION to Dismiss with Prejudice 37 Amended Complaint <i>As To Plaintiff's Claims for Monetary Damages</i> filed by K. Espada, Orisme Recommending that Plaintiffs claims for compen., Signed by Senior Judge Donald L. Graham on 3/17/2020. <i>See attached document for full details.</i> (cf) (Entered: 03/18/2020)
03/10/2020	117	WITHDRAWN per DE 130 :REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 90 MOTION to Dismiss with Prejudice 37 Amended Complaint <i>As To Plaintiff's Claims for Monetary Damages</i> filed by K. Espada, Orisme; Recommending that Plaintiff's claims for compensatory and punitive damages be DISMISSED, pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted; and, that this case PROCEED on Plaintiffs claim for nominal damages against Defendants Orisme and Espada. Objections to R&R due by 3/24/2020. Signed by Magistrate Judge Lisette M. Reid on 3/10/2020. <i>See attached document for full details.</i> (fbn) Modified on 7/7/2020 (mr1). (Entered: 03/10/2020)

02/03/2020	116	ORDER denying 113 Appeal/Objection of Magistrate Judge Order to District Court. Signed by Senior Judge Donald L. Graham on 2/3/2020. <i>See attached document for full details.</i> (drz) (Entered: 02/03/2020)
01/22/2020	115	SECOND AMENDED 42 USC CIVIL RIGHTS COMPLAINT against City of Miami Beach, K. Espada, Orisme, filed by Contrell Leo Floyd.(drz) (Entered: 01/22/2020)
01/22/2020	114	Clerks Notice of Docket Correction re 111 Response/Reply (Other). Document Restricted Due to Error ; The correct document has been attached to this notice. Wrong Event Selected by Clerk. (drz) (Entered: 01/22/2020)
01/22/2020	113	OBJECTION of Magistrate Judge 108 Order on Motion for Reconsideration,,, Order on Motion for Hearing,,, to District Court (drz) (Entered: 01/22/2020)
01/22/2020	112	NOTICE of Filing Second Amended Complaint by Contrell Leo Floyd. (drz) (Entered: 01/22/2020)
01/22/2020	110	NOTICE of Compliance with Court Order by Contrell Leo Floyd re 102 Order on Motion to Amend/Correct,,,,, (drz) (Entered: 01/22/2020)
01/14/2020	109	Second MOTION to Strike <i>Plaintiff's Witnesses</i> by K. Espada, Orisme. Responses due by 1/28/2020 (Attachments: # 1 Exhibit Plaintiff's Interrogatory Response, # 2 Exhibit Portions of Plaintiff's Deposition) (Switkes, Robert) (Entered: 01/14/2020)
01/06/2020	108	PAPERLESS ORDER denying 106 Motion for Reconsideration. Essentially, Plaintiff's most recent filing suggests that he believed he did not need to comply with Fed. R. Civ. P. 15 because the Modified Pretrial Scheduling Order permits all motions for leave to amend to be filed within a certain time frame. [ECF No. 106 at 7, 11]. Plaintiff is mistaken. The order does not authorize him to circumvent the Federal Rules of Civil Procedure. Further, the mere fact he was permitted to file a motion for leave to amend within a specific time frame does not mean such a motion complies with all of the requirements under Fed. R. Civ. P. 15. Accordingly, the motion for reconsideration is DENIED. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 01/06/2020)
01/03/2020	107	PRETRIAL MEMORANDUM by K. Espada, Orisme. (Zappala, Bradley) (Entered: 01/03/2020)
12/27/2019	106	MOTION for Reconsideration and/or Rehearing of Denial of Motion to Amend re 102 Order by Contrell Leo Floyd. (Attachments: # 1 Exhibit)(kpe) (Entered: 12/27/2019)
12/23/2019	105	Pretrial Statement by Contrell Leo Floyd (drz) (Entered: 12/23/2019)

12/23/2019	104	NOTICE of Compliance with Court Order by Contrell Leo Floyd re 79 Scheduling Order,, (drz) (Entered: 12/23/2019)
12/23/2019	103	NOTICE of Compliance with Court Order by Contrell Leo Floyd re 79 Scheduling Order,, (drz) (Entered: 12/23/2019)
12/13/2019	102	PAPERLESS ORDER denying 101 Motion to Amend or to Supplement Amended Complaint. To the extent Plaintiff is seeking to amend former claims or to supplement with new claims, the Federal Rules of Civil Procedure, Local Rules, and this Court's orders demonstrate that leave should be denied. Local Rule 15.1 requires any motion for leave to amend to be accompanied with the proposed pleading as amended. S.D. Fla. Loc. R. 15.1. Plaintiff has not done this. Additionally, by court order, the time to file amendments has expired. [ECF No. 79]. As such, Plaintiff must now show good cause to modify this Court's scheduling order. See Fed R. Civ. P. 16(b)(4). He has not shown any such good cause exists to justify a late stage amendment under Fed. R. Civ. P. 15(a)(2). See Sung Hee Joo v. Univ. of Miami, 389 F. Supp. 3d 1107, 1109 (S.D. Fla. 2019) (indicating good cause may exist when discovery assisted in uncovering the basis for the amendment once the time to amend expired). Lastly, as to any attempt to supplement, Plaintiff's filing did not identify any events that transpired after the pleading was filed, meaning supplementation is not authorized under the Federal Rules of Civil Procedure. See Fed. R. Civ. P. 15(d). In all other respects, the instant motion, insofar that it is a response in opposition to the pending motion to dismiss, shall be addressed separately in an upcoming report. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 12/13/2019)
12/12/2019	101	MOTION for Leave to Amend Complaint a Second Time 100 Response in Opposition to Motion, by Contrell Leo Floyd. Responses due by 12/26/2019 (drz) Modified text on 12/13/2019 (asl). (Entered: 12/13/2019)
12/12/2019	100	Motion in Opposition to Defendant Officer's Motion to Dismiss Plaintiff's Claim for Monetary Damages Combined with Motion for Leave to Amend Complaint a Second Time to Add Claims against The City re 90 MOTION to Dismiss with Prejudice 37 Amended Complaint As To <i>Plaintiff's Claims for Monetary Damages</i> filed by Contrell Leo Floyd. Replies due by 12/19/2019. (drz) (Entered: 12/13/2019)
12/06/2019	99	PAPERLESS ORDER denying without prejudice 91 Motion to Strike Plaintiff's Witnesses as premature. Plaintiff has, at least until his pretrial statement is due, to provide Defendants and the Court with a pretrial statement stating what his proposed witnesses might say. At that juncture, the Court will be better able to assess the importance of such proposed testimony and to evaluate the prejudice that could result if such witnesses are allowed to testify. See generally <i>Bearint v. Dorel Juvenile Grp., Inc.</i> ,

		389 F.3d 1339, 1349 (11th Cir. 2004). In that posture, the Court will also be able to determine whether some other sanction or remedy might be more appropriate. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 12/06/2019)
12/06/2019	98	PAPERLESS ORDER denying Plaintiff's construed 94 Motion to Compel the Deposition Transcript. Plaintiff has not indicated he conferred or attempted to confer with opposing counsel in conformity with Local Rule 7.1(a)(3) before filing the instant motion. To the extent Plaintiff seeks a copy of the full deposition transcript from the Court, the Court has no copy to provide, as it is not part of the record. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 12/06/2019)
12/06/2019	97	PAPERLESS ORDER denying as moot 95 Motion for Leave to Proceed in forma pauperis. Plaintiff is already proceeding IFP. See [ECF No. 5]. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 12/06/2019)
12/06/2019	95	MOTION for Leave to Proceed in forma pauperis by Contrell Leo Floyd. (drz) (Entered: 12/06/2019)
12/06/2019	94	Application for Disposition Transcripts in District Court without Prepaying Fees by Contrell Leo Floyd. (drz) (Entered: 12/06/2019)
12/06/2019	93	Objection to the Order Striking Second Amended Complaint to 89 Order Striking by Contrell Leo Floyd. (drz) (Entered: 12/06/2019)
12/05/2019	96	ORDER INSTRUCTING PRO SE PLAINTIFF CONCERNING RESPONSE TO DEFENDANTS' MOTION TO DISMISS. Plaintiff shall file a response to the Defendants' motion to dismiss ECF No. 90 on or before January 6, 2020., (Responses due by 1/6/2020) Signed by Magistrate Judge Lisette M. Reid on 12/5/2019. <i>See attached document for full details.</i> (fbn) (Entered: 12/06/2019)
12/03/2019	92	Request for Court Docket Sheet by Contrell Leo Floyd (Docket Sheet Mailed). (drz) (Entered: 12/03/2019)
11/27/2019	91	MOTION to Strike <i>Witnesses</i> by K. Espada, Orisme. Responses due by 12/11/2019 (Attachments: # 1 Exhibit Plaintiff's Interrogatory Response, # 2 Exhibit Portion of Plaintiff's Deposition Transcript)(Marrero, Maryjeanne) (Entered: 11/27/2019)
11/27/2019	90	MOTION to Dismiss with Prejudice 37 Amended Complaint <i>As To Plaintiff's Claims for Monetary Damages</i> by K. Espada, Orisme. Responses due by 12/11/2019 (Attachments: # 1 Exhibit Portion of Plaintiff's Deposition Transcript)(Marrero, Maryjeanne) (Entered: 11/27/2019)
11/19/2019	89	ORDER STRIKING 88 UNAUTHORIZED SECOND AMENDED Complaint filed by Contrell Leo Floyd. Signed by Magistrate Judge Lisette M. Reid on 11/19/2019. <i>See attached document for full details.</i>

		(fbn) (Entered: 11/19/2019)
11/14/2019	88	STRICKEN PER DE# 89 SECOND AMENDED 42 U.S.C. 1983 CIVL RIGHTS COMPLAINT against City of Miami Beach, K. Espada, Orisme, filed by Contrell Leo Floyd. (Attachments: # 1 Notice of Filing Second Amended Complaint)(drz) Modified on 11/19/2019 (fbn). (Entered: 11/15/2019)
11/13/2019	87	ORDER denying 86 Unopposed Motion for Enlargement of Pretrial Deadlines. Signed by Magistrate Judge Lisette M. Reid on 11/13/2019. <i>See attached document for full details.</i> (fbn) (Entered: 11/13/2019)
11/07/2019	86	Unopposed MOTION for Extension of Time of Certain Pretrial Deadlines re 79 Scheduling Order,, by K. Espada, Orisme. Responses due by 11/21/2019 (Switkes, Robert) (Entered: 11/07/2019)
11/07/2019	85	NOTICE of Inquiry by Contrell Leo Floyd (Docket Sheet Mailed). (drz) (Entered: 11/07/2019)
11/07/2019	84	NOTICE of Settlement Likelihood by Contrell Leo Floyd. (drz) (Entered: 11/07/2019)
10/18/2019	83	ORDER granting 82 Motion to Take Deposition from Contrell Leo Floyd. Signed by Magistrate Judge Lisette M. Reid on 10/18/2019. <i>See attached document for full details.</i> (fbn) (Entered: 10/18/2019)
10/16/2019	82	MOTION to Take Deposition from Contrell Leo Floyd <i>at Custodial Setting</i> by K. Espada, Orisme. (Attachments: # 1 Text of Proposed Order Text of Proposed Order on Defendants' Motion, # 2 Exhibit Criminal Case Docket, # 3 Exhibit Miami-Dade Corrections Inmate Search)(Marrero, Maryjeanne) (Entered: 10/16/2019)
10/15/2019	81	NOTICE by K. Espada, Orisme <i>of Settlement Likelihood</i> (Marrero, Maryjeanne) (Entered: 10/15/2019)
09/27/2019	80	NOTICE of Compliance <i>With Court's Order</i> by K. Espada, Orisme re 79 Scheduling Order,,. Attorney Maryjeanne Marrero added to party K. Espada(pty:dft), Attorney Maryjeanne Marrero added to party Orisme(pty:dft). (Marrero, Maryjeanne) (Entered: 09/27/2019)
09/13/2019	79	MODIFIED PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 11/16/2019. Discovery due by 11/9/2019. Joinder of Parties due by 11/16/2019. Dispositive Motions due by 12/1/2019. Settlement Agreement due by 10/12/2019. Plaintiff Pretrial Statement due by 12/19/2019. Defendants Pretrial Statement due by 1/3/2020. Signed by Magistrate Judge Lisette M. Reid on 9/13/2019. <i>See attached document for full details.</i> (fbn) Pattern Jury Instruction Builder - To access the latest, up to date changes to the 11th Circuit Pattern Jury Instructions go to

		https://pji.ca11.uscourts.gov or click here . (Entered: 09/13/2019)
08/28/2019	78	PAPERLESS ORDER granting 77 unopposed Motion for Extension of Time to Pretrial Scheduling Order. A modified pretrial scheduling order will soon be entered. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 08/28/2019)
08/28/2019	77	Unopposed MOTION for Extension of Time Certain Pretrial Deadlines re 75 Scheduling Order,, by K. Espada, Orisme. Responses due by 9/11/2019 (Switkes, Robert) (Entered: 08/28/2019)
07/30/2019	76	NOTICE of Inquiry by Contrell Leo Floyd (Docket Sheet Mailed). (drz) (Entered: 07/30/2019)
07/29/2019	75	PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 10/2/2019. Discovery due by 9/25/2019. Joinder of Parties due by 10/2/2019. Dispositive Motions due by 10/17/2019. Notice of Settlement Likelihood due by 8/28/2019. Plaintiff Pretrial Statement due by 11/4/2019. Defendants Pretrial Statement due by 11/19/2019. Signed by Magistrate Judge Lisette M. Reid on 7/29/2019. <i>See attached document for full details.</i> (fbn) Pattern Jury Instruction Builder - To access the latest, up to date changes to the 11th Circuit Pattern Jury Instructions go to https://pji.ca11.uscourts.gov or click here. (Entered: 07/29/2019)
07/29/2019	74	PAPERLESS ORDER denying 73 Motion to Amend as it does not substantially follow the form complaint. See S.D. Fla. Loc. R. 88.2. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 07/29/2019)
07/29/2019	73	MOTION for Leave to Amend Complaint 1 Complaint 42 USC 1983 or Bivens by Contrell Leo Floyd. For Image see DE# 72 . Responses due by 8/12/2019 (drz) (Entered: 07/29/2019)
07/29/2019	72	Plaintiff's Responses to Defendant's Answer and Affirmative Defenses to 67 Answer to Amended Complaint, and Motion for Leave to Amend Second Time. by Contrell Leo Floyd. (Attachments: # 1 Second Amended Civil Rights Complaint)(drz) (Entered: 07/29/2019)
07/16/2019	71	NOTICE of Inquiry by Contrell Leo Floyd (Docket Sheet Mailed). (drz) (Entered: 07/16/2019)
07/16/2019	70	NOTICE of Change of Address by Contrell Leo Floyd (Address Updated in CM/ECF). (drz) (Entered: 07/16/2019)
06/21/2019	69	PAPERLESS ORDER denying 68 Motion to Amend. For the reasons previously stated, see [ECF 66], the Motion to Amend with counsel remains premature. Additionally, Plaintiff has no allegations capable of supporting a claim against the City and fails to provide a proposed amendment. Thus, to the extent Plaintiff wishes to amend pro se, the

		request is also premature. Accordingly, the instant Motion is DENIED. Plaintiff is warned that continuous attempts to amend without actual corroborating information may be deemed an abuse of the judicial process, authorizing this Court to dismiss his case pursuant to Fed. R. Civ. P. 41(b). Signed by Magistrate Judge Lisette M. Reid (bca) Modified text on 6/21/2019 (fbn). (Entered: 06/21/2019)
06/21/2019	68	MOTION for Leave to Amend a Second Time 1 Complaint 42 USC 1983 or Bivens by Contrell Leo Floyd. Responses due by 7/8/2019 (drz) (Entered: 06/21/2019)
06/19/2019	67	ANSWER and Affirmative Defenses to Amended Complaint with Jury Demand by K. Espada, Orisme. Attorney Bradley Francis Zappala added to party K. Espada(pty:dft), Attorney Bradley Francis Zappala added to party Orisme(pty:dft). (Zappala, Bradley) (Entered: 06/19/2019)
06/11/2019	66	PAPERLESS ORDER denying as premature 62 Motion for Leave to Amend the Complaint. In the motion, Plaintiff seeks to amend his complaint because he is in the process of hiring an attorney, who will file a proposed amended complaint and presumably amend Plaintiff's previously dismissed claim against the City of Miami Beach. As Plaintiff remains pro se, the request to grant leave so that an attorney can file a claim against the City is premature. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 06/11/2019)
06/11/2019	65	PAPERLESS ORDER denying as moot 63 "Motion to Hold the Process of Service upon the Defendants." Service has been completed. See [ECF 60]; [ECF 61]. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 06/11/2019)
06/11/2019	64	NOTICE of Attorney Appearance by Robert L. Switkes on behalf of K. Espada, Orisme. Attorney Robert L. Switkes added to party K. Espada(pty:dft), Attorney Robert L. Switkes added to party Orisme(pty:dft). (Switkes, Robert) (Entered: 06/11/2019)
06/11/2019		Case Reopened. case closed in error - other claims remain pending (mr1) (Entered: 06/11/2019)
06/11/2019	63	MOTION to Hold the Process of Service Upon the Defendants by Contrell Leo Floyd. Responses due by 6/25/2019. (jas) (Entered: 06/11/2019)
06/11/2019	62	MOTION for Leave to Amend 1 Complaint 42 USC 1983 or Bivens by Contrell Leo Floyd. Responses due by 6/25/2019. (jas) (Entered: 06/11/2019)
06/05/2019	61	SUMMONS (Affidavit) Returned Executed on 53 Amended Complaint with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 Orisme served on 5/30/2019, answer due 6/20/2019. (dj) (Entered: 06/05/2019)

		06/05/2019)
05/31/2019	60	SUMMONS (Affidavit) Returned Executed on 53 Amended Complaint with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 15 by Contrell Leo Floyd. K. Espada served on 5/29/2019, answer due 6/12/2019. (jas) (Entered: 05/31/2019)
05/21/2019	59	Summons Issued as to K. Espada. (drz) (Entered: 05/21/2019)
05/21/2019	58	Summons Issued as to Orisme. (drz) (Entered: 05/21/2019)
05/20/2019	57	ORDER RE: SERVICE OF PROCESS REQUIRING PERSONAL SERVICE UPON AN INDIVIDUAL: Officer Orisme and Officer K. Espada. Signed by Magistrate Judge Lisette M. Reid on 5/20/2019. <i>See attached document for full details.</i> (fbn) (Entered: 05/20/2019)
05/13/2019	56	ORDER ADOPTING REPORT AND RECOMMENDATIONS for 45 Signed by Senior Judge Donald L. Graham on 5/11/2019. <i>See attached document for full details.</i> (cf) (Entered: 05/13/2019)
03/18/2019	55	PAPERLESS ORDER denying 50 Motion to Amend Complaint. See (DE#52). The proposed complaint does not comply with local rules or this Court's orders. Continued efforts to circumvent court orders will probably result in a recommendation for dismissal pursuant to Fed. R. Civ. P. 41(b). Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 03/18/2019)
03/18/2019	54	PLAINTIFF'S OBJECTIONS to MAGISTRATE JUDGE'S DENIAL OF MOTION FOR LEAVE TO FILE EXCESS PAGES 52 Order on Motion for Leave to File Excess Pages, by Contrell Leo Floyd. (drz) (Entered: 03/18/2019)
03/18/2019	53	SECOND AMENDED CIVIL RIGHTS COMPLAINT against City of Miami Beach, K. Espada, Orisme, filed by Contrell Leo Floyd.(drz) (Entered: 03/18/2019)
02/25/2019	52	PAPERLESS ORDER denying 51 Motion for Leave to File Excess Pages. This Court previously instructed Plaintiff that any future amendments must comport with procedural rules, including the page limitations set forth by Local Rules. (DE#47). Plaintiff had sufficient time to do so. Accordingly, the motion for leave to file excess pages is DENIED. Signed by Magistrate Judge Lisette M. Reid (bca) (Entered: 02/25/2019)
02/25/2019	51	Plaintiff's MOTION for Leave to Exceed Twenty Page Limitation, Pursuant to Fed. R. Civ. 7.1(c)(2) by Contrell Leo Floyd. (drz) (Entered: 02/25/2019)
02/25/2019	50	Plaintiff's MOTION for Leave to Amend Pursuant to Fed. R. Civ. P. 15(a)(2) 1 Complaint 42 USC 1983 or Bivens by Contrell Leo Floyd. Responses due by 3/11/2019 (Attachments: # 1 Second Amended Complaint)(drz) (Entered: 02/25/2019)

01/07/2019	49	Case Reassignment of Paired Magistrate Judge pursuant to Administrative Order(s) - 2019-2 to Magistrate Judge Lisette Marie Reid. Magistrate Judge Patrick A. White no longer assigned to case. (jmd) (Entered: 01/07/2019)
12/11/2018	48	ORDER REFERRING CASE to Volunteer Attorney Program Signed by Senior Judge Donald L. Graham on 12/11/2018. <i>See attached document for full details.</i> (jao) (Entered: 12/11/2018)
12/06/2018	47	ORDER STRIKING 46 Plaintiff's Second Amended Complaint filed by Contrell Leo Floyd. Signed by Magistrate Judge Patrick A. White on 12/6/2018. <i>See attached document for full details.</i> (fbn) (Entered: 12/06/2018)
11/19/2018	46	STRICKEN PER DE# 47 42 U.S.C. 1983 Second AMENDED CIVIL RIGHTS COMPLAINT against City of Miami Beach, K. Espada, Orisme, filed by Contrell Leo Floyd.(drz) Modified on 12/6/2018 (fbn). (Entered: 11/19/2018)
10/25/2018	45	MODIFIED REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 37 Amended Complaint filed by Contrell Leo Floyd; Recommending that: (1) The Fourth Amendment Claim against Officer Orisme in his individual capacity, PROCEED; (2) The Fourth Amendment Claim against Officer Orisme in his official capacity, be DISMISSED; (3) The Fourth Amendment Claim against Officer Espada in his individual capacity, PROCEED; (4) The Fourth Amendment Claim against Officer Espada in his official capacity, be DISMISSED; (5) The Malicious Prosecution Claim against all defendants, in their individual and official capacities, be DISMISSED; (6) The Failure to Train, Supervise, Audit, and Discipline Claim against the City be DISMISSED WITHOUT PREJUDICE; (7) The Motion for Declaratory Relief be DENIED. Objections to R&R due by 11/8/2018. Signed by Magistrate Judge Patrick A. White on 10/25/2018. <i>See attached document for full details.</i> (fbn) (Entered: 10/25/2018)
10/22/2018	44	PAPERLESS ORDER withdrawing 40 Report and Recommendations. A modified Report will soon follow. Signed by Magistrate Judge Patrick A. White (bmz) (Entered: 10/22/2018)
10/15/2018	43	OBJECTIONS to 40 Report and Recommendations by Contrell Leo Floyd. (dj) (Entered: 10/16/2018)
10/12/2018	42	ORDER granting 41 Plaintiff's Motion for Extension of Time to File Objections to Magistrate Judge's Report and Amended Complaint filed by Contrell Leo Floyd. Plaintiff shall his objections, if any, on or before 10/31/2018 Signed by Senior Judge Donald L. Graham on 10/12/2018. <i>See attached document for full details.</i> (jc) (Entered: 10/12/2018)

10/04/2018	41	MOTION for Extension of Time to File an Objection to Magistrate Judge's Report and Recommendation on Amended Complaint re 40 REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 37 Amended Complaint filed by Contrell Leo Floyd by Contrell Leo Floyd. (drz) Modified on 10/5/2018 (drz). (Entered: 10/05/2018)
09/24/2018	40	REPORT AND RECOMMENDATIONS RE: AMENDED COMPLAINT on 42 USC 1983 case re 37 Amended Complaint filed by Contrell Leo Floyd. Objections to R&R due by 10/9/2018. Signed by Magistrate Judge Patrick A. White on 9/24/2018. <i>See attached document for full details.</i> (fbn) (Entered: 09/24/2018)
09/18/2018	39	NOTICE of Inquiry by Contrell Leo Floyd (Copy of Docket Sheet mailed) (mc) (Entered: 09/18/2018)
08/02/2018	37	AMENDED 42 U.S.C. 1983 Civil Rights COMPLAINT against City of Miami Beach, K. Espada, Orisme, filed by Contrell Leo Floyd.(drz) (Entered: 08/02/2018)
07/24/2018	36	PAPERLESS ORDER granting 35 Motion for Extension of Time to Amend the Complaint. Plaintiff asks for thirty days. To prevent further delays or any future requests for extensions of time, this Court afforded additional days beyond Plaintiff's request. Accordingly, on or before August 31, 2018, the amended complaint is due. Absent extraordinary circumstances, no further extensions will be granted without corroborating evidence to justify the delay. Limited access to the law library or prison law clerks will not justify as a circumstance that is extraordinary in nature. Plaintiff is advised that this Court will utilize the prison mailbox rule in assessing whether his Amended Complaint is timely filed. Signed by Magistrate Judge Patrick A. White (bmz) (Entered: 07/24/2018)
07/24/2018	35	MOTION for Extension of Time to Amend Complaint 1 Complaint 42 USC 1983 or Bivens by Contrell Leo Floyd. Responses due by 8/7/2018 (drz) (Entered: 07/24/2018)
06/25/2018	34	PAPERLESS ORDER granting 33 Motion for Extension of Time to Amend the Complaint. Accordingly, the amended complaint must be filed on or before July 25, 2018. Signed by Magistrate Judge Patrick A. White (bmz) (Entered: 06/25/2018)
06/25/2018	33	MOTION for Extension of Time to Amend Complaint 1 Complaint 42 USC 1983 or Bivens by Contrell Leo Floyd. Responses due by 7/9/2018 (drz) (Entered: 06/25/2018)
05/21/2018	32	ORDER REQUIRING AMENDED COMPLAINT on or before June 29, 2018, the plaintiff shall file an amended complaint in this case. (Amended Complaint due by 6/29/2018) Signed by Magistrate Judge Patrick A. White on 5/21/2018. (Attachments: # 1 1983 Complaint Form) (fbn)

		(Entered: 05/21/2018)
05/18/2018	38	CASE REFERRED to Magistrate Judge Patrick A. White. (vjk) (Entered: 08/14/2018)
05/18/2018		Case Reopened (dgj) (Entered: 05/21/2018)
05/18/2018	31	MANDATE of USCA (certified copy). VACATED AND REMANDED. We vacate the dismissal of Floyd's complaint with prejudice and we remand for further proceedings consistent with this opinion re 15 Notice of Appeal, filed by Contrell Leo Floyd; Date Issued: 5/18/2018; USCA Case Number: 17-12741-GG. (apz) (Entered: 05/18/2018)
01/17/2018	30	Clerks Notice of Receipt of Partial Filing Fee received on 1/17/2018 in the amount of \$ 9.86, receipt number FLS100157358. (vt) (Entered: 01/17/2018)
12/18/2017	29	Clerks Notice of Receipt of Partial Filing Fee received on 12/18/2017 in the amount of \$ 1.55, receipt number FLS100155715. (vt) (Entered: 12/18/2017)
11/30/2017	28	Pursuant to F.R.A.P. 11(c), the Clerk of the District Court for the Southern District of Florida certifies that the record is complete for purposes of this appeal re: 15 Notice of Appeal, Appeal No. 17-12741-GG. The entire record on appeal is available electronically. (apz) (Entered: 11/30/2017)
11/14/2017	27	Clerks Notice of Receipt of Partial Filing Fee received on 11/14/2017 in the amount of \$ 29.46, receipt number FLS100154078 (vt) (Entered: 11/14/2017)
10/13/2017	26	Clerks Notice of Receipt of Partial Filing Fee received on 10/13/2017 in the amount of \$ 70.89, receipt number FLS100152340 (vt) (Entered: 10/13/2017)
09/26/2017	25	Clerks Notice of Receipt of Partial Filing Fee received on 9/26/2017 in the amount of \$ 65.40, receipt number FLS100150935 (kpe) (Entered: 09/26/2017)
09/19/2017	24	ORDER Adopting 23 Report and Recommendations on 21 Motion for Leave to Appeal in forma pauperis filed by Contrell Leo Floyd, granting 21 MOTION for Leave to Appeal in forma pauperis filed by Contrell Leo Floyd. Signed by Senior Judge Donald L. Graham on 9/18/2017. (pes) (Entered: 09/19/2017)
08/31/2017	23	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 21 MOTION for Leave to Appeal in forma pauperis filed by Contrell Leo Floyd; Recommending that Plaintiffs Motion for Leave to Appeal in forma pauperis [DE#21] be GRANTED, and that Plaintiff be required to consent to the payment of the \$505.00 appellate filing fee as provided by § 1915(b) by filing the required Consent Form with the United States

		Court of Appeals for the Eleventh Circuit, a copy of which is being mailed to Plaintiff together with this report. Objections to R&R due by 9/14/2017. Signed by Magistrate Judge Patrick A. White on 8/31/2017. (Attachments: # 1 11th Circuit Appellate Fee Authorization Form) (fbn) (Entered: 08/31/2017)
08/25/2017	22	ORDER REFERRING 21 MOTION for Leave to Appeal in forma pauperis filed by Contrell Leo Floyd. Motion referred to Judge Patrick A. White to take all necessary and proper action as required by law. Signed by Senior Judge Donald L. Graham on 8/24/2017. (pes) (Entered: 08/25/2017)
08/08/2017	20	Clerks Notice of Receipt of Partial Filing Fee received on 8/8/2017 in the amount of \$ 47.51, receipt number FLS100148680 (vt) (Entered: 08/08/2017)
08/07/2017	21	MOTION for Leave to Appeal in forma pauperis by Contrell Leo Floyd. (apz) (Entered: 08/08/2017)
07/11/2017	19	Clerks Notice of Receipt of Partial Filing Fee received on 7/11/2017 in the amount of \$ 41.08, receipt number FLS100147057 (vt) (Entered: 07/11/2017)
06/23/2017	18	TRANSCRIPT INFORMATION FORM by Contrell Leo Floyd re 15 Notice of Appeal,. No Transcript Requested. (hh) (Entered: 06/26/2017)
06/21/2017	17	Acknowledgment of Receipt of NOA from USCA re 15 Notice of Appeal, filed by Contrell Leo Floyd. Date received by USCA: 6/14/17. USCA Case Number: 17-12741-G. (hh) (Entered: 06/22/2017)
06/21/2017	16	Clerks Notice of Receipt of Partial Filing Fee received on 6/20/2017 in the amount of \$ 25.20, receipt number FLS100145809 (vt) (Entered: 06/21/2017)
06/14/2017		Transmission of Notice of Appeal, Order under appeal and Docket Sheet to US Court of Appeals re 15 Notice of Appeal, Notice has been electronically mailed. (apz) (Entered: 06/14/2017)
06/14/2017	15	Notice of Appeal as to 12 Order on Report and Recommendations, by Contrell Leo Floyd. FILING FEE: (NOT PAID). Within fourteen days of the filing date of a Notice of Appeal, the appellant must complete the Eleventh Circuit Transcript Order Form regardless of whether transcripts are being ordered [Pursuant to FRAP 10(b)]. For information go to our FLSD website under Transcript Information. (apz) (Entered: 06/14/2017)
06/09/2017	14	OBJECTIONS to 10 Report and Recommendations by Contrell Leo Floyd. (pes) (Entered: 06/09/2017)
06/02/2017	13	Case No Longer Referred to Magistrate Judge Patrick A. White/Case Closed by the District Judge. Signed by Magistrate Judge Patrick A.

		White on 6/2/2017. (br) (Entered: 06/02/2017)
05/31/2017	12	ORDER Adopting 10 Report and Recommendations. Closing Case. Signed by Senior Judge Donald L. Graham on 5/31/2017. (pes) NOTICE: If there are sealed documents in this case, they may be unsealed after 1 year or as directed by Court Order, unless they have been designated to be permanently sealed. See Local Rule 5.4 and Administrative Order 2014-69. (Entered: 06/01/2017)
05/16/2017	11	Clerks Notice of Receipt of Partial Filing Fee received on 5/16/2017 in the amount of \$ 59.05, receipt number FLS100143505 (vt) (Entered: 05/16/2017)
05/01/2017	10	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 1 Complaint 42 USC 1983 or Bivens filed by Contrell Leo Floyd; Recommending that the complaint (DE#1) be dismissed in its entirety, pursuant to 28 U.S.C. §1915(e)(2)(b)(ii), for failure to state a claim upon which relief can be granted, and that this case be closed. Objections to R&R due by 5/15/2017. Signed by Magistrate Judge Patrick A. White on 5/1/2017. (br) (Entered: 05/01/2017)
04/28/2017	9	NOTICE of Inquiry by Contrell Leo Floyd (Docket Sheet sent) (mc) (Entered: 05/01/2017)
04/07/2017	8	NOTICE of Change of Address by Contrell Leo Floyd (pes)[Address Updated] (Entered: 04/07/2017)
03/16/2017	7	NOTICE of Inquiry by Contrell Leo Floyd (pes) [Docket Sheet Sent] (Entered: 03/17/2017)
02/17/2017	6	NOTICE of Inquiry by Contrell Leo Floyd (pes) [Docket sheet sent] (Entered: 02/17/2017)
10/17/2016	5	ORDER granting 4 Motion for Leave to Proceed in forma pauperis. Plaintiff to Proceed without Prepayment of Filing Fee but Establishing Debt to Clerk of \$350.00. Granting to the extent that the plaintiff need not prepay even a partial filing fee in this case, or to prepay costs such as for service of process. USM Service NOT Ordered. Signed by Magistrate Judge Patrick A. White on 10/17/2016. (tw) (Entered: 10/17/2016)
10/04/2016	4	MOTION for Leave to Proceed in forma pauperis by Contrell Leo Floyd. (drz) (Entered: 10/04/2016)
10/04/2016	3	Clerks Notice of Magistrate Judge Assignment to Magistrate Judge Patrick A. White. Pursuant to Administrative Order 2003-19 for a ruling on all pre-trial, non-dispositive matters and for a Report and Recommendation on any dispositive matters. (drz) (Entered: 10/04/2016)

10/04/2016	2	Judge Assignment to Judge Donald L. Graham (drz) (Entered: 10/04/2016)
10/04/2016	1	Complaint pursuant to 42 USC 1983 against City of Miami Beach, K. Espada, Orisme. Filing fee \$ 350.00. IFP Filed, filed by Contrell Leo Floyd.(drz) (Entered: 10/04/2016)