

**U.S. District Court  
Southern District of Florida (Ft Pierce)  
CIVIL DOCKET FOR CASE #: 2:18-cv-14109-KAM**

Bryant v. Secretary, Department of Corrections et al  
Assigned to: Judge Kenneth A. Marra  
Cause: 42:1983 State Prisoner Civil Rights

Date Filed: 03/29/2018  
Jury Demand: Defendant  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Alphonza Bryant**

represented by **Alphonza Bryant**

U13299  
Baker Correctional Institution  
Inmate Mail/Parcels  
20706 US Highway 90 West  
Sanderson, FL 32087  
PRO SE

V.

**Defendant**

**Secretary, Department of  
Corrections**

*Julie Jones, in her official  
capacity*

**TERMINATED: 07/23/2018**

**Defendant**

**Officer A. Martinez**

*Correctional Officer, Martin  
Correctional Institution, in  
individual capacity*

represented by **Armand Murach**

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**Defendant****Officer Menocal**

*Correctional Officer, Martin  
Correctional Institution, in  
individual capacity*

represented by **Armand Murach**

(See above for address)

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

**Maria Guitian Barker**

(See above for address)

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

**John Bajger**

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**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/23/2020	<a href="#">94</a>	ORDER REFERRING CASE to Volunteer Attorney Program. Denying: <a href="#">92</a> MOTION to Appoint Counsel filed by Alphonza Bryant. Signed by Judge Kenneth A. Marra on 10/23/2020. <i>See attached document for full details.</i> (cds) (Entered: 10/23/2020)

10/22/2020	<a href="#">93</a>	AFFIDAVIT in Support re <a href="#">92</a> MOTION for the Appointment of Counsel filed by Alphonza Bryant. (cds) (Entered: 10/23/2020)
10/22/2020	<a href="#">92</a>	MOTION for the Appointment of Counsel by Alphonza Bryant. Responses due by 11/5/2020 (cds) (Entered: 10/23/2020)
07/27/2020	<a href="#">91</a>	NOTICE of Attorney Appearance by Armand Murach on behalf of A. Martinez, Menocal. Attorney Armand Murach added to party A. Martinez(pty:dft), Attorney Armand Murach added to party Menocal(pty:dft). (Murach, Armand) (Entered: 07/27/2020)
07/27/2020	<a href="#">90</a>	NOTICE TO THE PARTIES re <a href="#">89</a> Order on Motion for Summary Judgment. Signed by Judge Kenneth A. Marra on 7/27/2020. <i>See attached document for full details.</i> (ir) (Entered: 07/27/2020)
07/24/2020	<a href="#">89</a>	ORDER Denying <a href="#">74</a> Motion for Summary Judgment. Signed by Judge Kenneth A. Marra on 7/24/2020. <i>See attached document for full details.</i> (cds) (Entered: 07/27/2020)
07/24/2020	<a href="#">88</a>	ORDER WITHDRAWING REFERRAL TO THE MAGISTRATE JUDGE. Case No Longer Referred to Magistrate Judge Lisette M. Reid. Signed by Judge Kenneth A. Marra on 7/24/2020. <i>See attached document for full details.</i> (ir) (Entered: 07/24/2020)
05/28/2020	<a href="#">87</a>	NOTICE of Inquiry (Copy of Docket Sheet Mailed) by Alphonza Bryant (cds) (Entered: 05/28/2020)
01/06/2020	<a href="#">86</a>	NOTICE of Attorney Appearance by John Bajger on behalf of A. Martinez, Menocal. Attorney John Bajger added to party A. Martinez(pty:dft), Attorney John Bajger added to party Menocal(pty:dft). (Bajger, John) (Entered: 01/06/2020)
12/05/2019	<a href="#">85</a>	NOTICE of Inquiry (Copy of Memorandum of Law DE# <a href="#">83</a> Mailed) by Alphonza Bryant (cds) (Entered: 12/05/2019)
11/19/2019	<a href="#">84</a>	PAPERLESS ORDER denying as moot <a href="#">81</a> Motion for Extension of Time. Plaintiff has already filed his response to the motion for summary judgment, as well as his pretrial statement. Signed by Magistrate Judge Lisette M. Reid on 11/19/2019. (js05) (Entered: 11/19/2019)
11/18/2019	<a href="#">83</a>	Memorandum of Law in Opposition re <a href="#">74</a> MOTION for Summary Judgment filed by Alphonza Bryant. Replies due by 11/25/2019. (cds) (Entered: 11/19/2019)
11/18/2019	<a href="#">82</a>	Pretrial Statement by Alphonza Bryant (cds) (Entered: 11/19/2019)
11/18/2019	<a href="#">81</a>	MOTION for Extension of Time To Comply with Court Order re 80 Order on Motion for Extension of Time to File Response/Reply/Answer,,,,, by Alphonza Bryant. Responses due by 12/2/2019 (cds) (Entered: 11/19/2019)

11/04/2019	<a href="#">80</a>	PAPERLESS ORDER denying <a href="#">77</a> Motion for Extension of Time to File Response/Reply/Answer. Upon careful review of the motion and the pertinent authorities, plaintiff has not shown good cause for an extension of time to file a response to defendants' motion for summary judgment. Therefore, the court DENIES this motion. Both plaintiff's response to the motion for summary judgment and pretrial statement must be filed (i.e., received by the court and docketed) by November 18, 2019. The court will not use the date on which petitioner signs the response/pretrial statement or the date on which he submits the response/pretrial statement to prison authorities for mailing as the date of filing. Petitioner is expressly cautioned that, if he does not file a response by this deadline, the court will proceed to consider defendants' motion for summary judgment and not consider any subsequently filed response. Furthermore, he is expressly cautioned that the failure to file a pretrial statement by this deadline may result in dismissal of this case for failure to comply with a court order. Absolutely no extensions of time to file the response and pretrial statement shall be considered. Signed by Magistrate Judge Lisette M. Reid on 11/4/2019. (js04) (Entered: 11/04/2019)
10/25/2019	<a href="#">79</a>	NOTICE of Change of Address (Address Updated) by Alphonza Bryant (cds) (Entered: 10/25/2019)
10/22/2019	<a href="#">78</a>	Statement of: Defendants, Menocal and Martinez's Pretrial Statement by A. Martinez, Menocal re 38 Order,, 67 Order,,, (Barker, Maria) (Entered: 10/22/2019)
10/21/2019	<a href="#">77</a>	MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">74</a> MOTION for Summary Judgment by Alphonza Bryant. (cds) (Entered: 10/22/2019)
10/21/2019	<a href="#">76</a>	NOTICE of Change of Address (Address Updated) by Alphonza Bryant (cds) (Entered: 10/22/2019)
09/27/2019	<a href="#">75</a>	ORDER INSTRUCTING PRO SE PLAINTIFF CONCERNING RESPONSE TO MOTION FOR SUMMARY JUDGMENT. Plaintiff shall file a response to the pending motion for summary judgment <a href="#">74</a> by October 28, 2019., ( Responses due by 10/28/2019) Signed by Magistrate Judge Lisette M. Reid on 9/27/2019. <i>See attached document for full details.</i> (fbn) (Entered: 09/27/2019)
09/27/2019	<a href="#">74</a>	MOTION for Summary Judgment by A. Martinez, Menocal. Responses due by 10/11/2019 (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Exhibit I, # <a href="#">10</a> Exhibit J, # <a href="#">11</a> Exhibit K, # <a href="#">12</a> Exhibit L, # <a href="#">13</a> Exhibit M, # <a href="#">14</a> Exhibit N, # <a href="#">15</a> Exhibit O)(Barker, Maria) (Entered: 09/27/2019)

07/24/2019	73	PAPERLESS Clerks Notice of Receipt of Partial Filing Fee received on 7/23/2019 in the amount of \$ 18.00, receipt number FLS100191494. (vt) (Entered: 07/24/2019)
07/19/2019	<a href="#">72</a>	NOTICE of Compliance <i>with Court's Order</i> by Menocal (Barker, Maria) (Entered: 07/19/2019)
07/01/2019	71	PAPERLESS ORDER re <a href="#">69</a> Notice (Other) filed by Alphonza Bryant. Plaintiff's amended objections to defendant Menocal's answered interrogatories are OVERRULED IN PART and GRANTED IN PART. ALL untimeliness objections are hereby OVERRULED. Plaintiff failed to state with specificity his previous untimeliness objections and, consequently, has waived his objection. See Fed. R. Civ. P. 33(b)(4). Plaintiff has not shown good cause for this failure. See <i>id.</i> Further, the court OVERRULES plaintiff's objection to the answer to interrogatory 13; interrogatory 13 is duplicative of interrogatory 12 and, hence, unnecessary. However, the court GRANTS IN PART plaintiff's objection to the answer to interrogatory 12. Within twenty-one (21) days of the date of this order, defendant Menocal is ORDERED to answer the following question and provide the answer to plaintiff: During your employment with the Department of Corrections, how many uses of force have you had and/or participated in? Additionally, the court GRANTS IN PART plaintiff's objections to Menocal's answers to interrogatory 23 and 24. If, AND ONLY IF, defendant Menocal was placed on administrative leave, with or without pay, in connection with the alleged use-of-force incident against plaintiff, he is ORDERED to (1) so notify plaintiff of the placement of the leave (including its length) and (2) provide the information requested in interrogatory 23 within twenty-one (21) days of this order. Moreover, if Menocal was not placed on administrative leave, with or without pay, in connection with alleged said incident, he is ORDERED to so notify plaintiff within twenty-one (21) days of the date of this order. Defendant Menocal is further ORDERED to file a notice of compliance with this order within seven (7) days of the date of compliance. Signed by Magistrate Judge Lisette M. Reid on 7/1/2019. (js05) (Entered: 07/01/2019)
07/01/2019	70	PAPERLESS ORDER re <a href="#">68</a> Notice (Other) filed by Alphonza Bryant. Plaintiff's second request for production (DE#68) is hereby STRICKEN. Discovery is a self-managed process that contemplates little, if any, court intervention. See <i>Inland Am. (LIP) SUB, LLC v. Lauth</i> , No. 109-CV-00893-SEB-JMS, 2010 WL 670546, at *1 (S.D. Ind. Feb. 19, 2010). To that end, the Local Rules for the Southern District of Florida provide: "Initial and expert disclosures and the following discovery requests, responses, objections, notices or any associated proof of service SHALL NOT BE FILED until they are used in the proceeding or the court orders their filing: (1) deposition transcripts; (2) interrogatories; (3) requests for documents, electronically stored information or things, or to permit entry

		upon land; (4) requests for admission; and (5) notices of taking depositions or notices of serving subpoenas." Signed by Magistrate Judge Lisette M. Reid on 7/1/2019. (js05) (Entered: 07/01/2019)
07/01/2019	<a href="#">69</a>	Plaintiff's Amended Objections by Alphonza Bryant (lbc) (Entered: 07/01/2019)
07/01/2019	<a href="#">68</a>	(STRICKEN PER DE#70)Plaintiff's Second Request for Production by Alphonza Bryant (lbc)Text Modified on 7/2/2019 (cqs). (Entered: 07/01/2019)
06/24/2019	67	PAPERLESS ORDER re <a href="#">61</a> MOTION for Extension of Time filed by Alphonza Bryant. The court GRANTS, in part, plaintiff's motion for extension of time and enters the following modified scheduling order. The motion for extension of time is denied in all other respects. SECOND AMENDED ORDER SCHEDULING PRETRIAL PROCEEDINGS WHEN PLAINTIFF IS PROCEEDING PRO SE: Amended Pleadings due by 8/30/2019. Discovery due by 7/31/2019. Joinder of Parties due by 8/30/2019. Dispositive Motions due by 9/27/2019. Plaintiff Pretrial Statement due by 10/11/2019. Defendants Pretrial Statement due by 10/25/2019. The court's original order scheduling pretrial proceedings when plaintiff is proceeding pro se shall otherwise remain in full force. Signed by Magistrate Judge Lisette M. Reid on 6/24/2019. (js05) (Entered: 06/24/2019)
06/24/2019	66	PAPERLESS ORDER re 65 Order on Motion for Extension of Time. The above-referenced order, DE#65, is hereby VACATED as improvidentially entered. Signed by Magistrate Judge Lisette M. Reid on 6/24/2019. (js05) (Entered: 06/24/2019)
06/24/2019	65	PAPERLESS ORDER granting, in part, <a href="#">61</a> Motion for Extension of Time. This motion is hereby granted in part ONLY to the extent that the court will issue a second amended scheduling order that extends the discovery deadline, as well as other related deadlines, by 45 days from today. The instant motion is denied in all other respects. Signed by Magistrate Judge Lisette M. Reid on 6/24/2019. (js05) (Entered: 06/24/2019)
06/20/2019	<a href="#">64</a>	NOTICE of Compliance <i>with Court's Order</i> by Menocal re 63 Order,,,,,, (Barker, Maria) (Entered: 06/20/2019)
06/17/2019		Reset Deadlines Show Cause Response due by 6/21/2019. (cqs) (Entered: 06/17/2019)
06/14/2019	63	PAPERLESS ORDER DENYING IN PART OBJECTIONS <a href="#">60</a> . Plaintiff objects to defendant Menocal's answers to his interrogatories on the ground that the answers are untimely. However, plaintiff has not stated with specificity wherein the answers are untimely, such as by providing proof of dates of service. Therefore, this objection is OVERRULED. See Fed. R. Civ. P. 33(b)(4). Plaintiff also objects to two of Menocal's answers on the

		ground that the objections were not signed by the person taking the deposition. Again, the factual basis of this objection is not stated with the requisite degree of specificity. Indeed, the objection is not fully clear. Therefore, this objection is <b>OVERRULED</b> . See Fed. R. Civ. P. 33(b)(4). Furthermore, plaintiff objects to Menocal's answers to interrogatories 12 and 23 on the ground that counsel objected to the interrogatory but did not sign the objection. See Fed. R. Civ. P. 33(b)(5). While the record reflects that Menocal signed the answers, it is unclear from the record whether counsel provided the objections in interrogatories 12 and 23. Therefore, the court hereby <b>DIRECTS</b> counsel of defendant Menocal to sign the objections that counsel purportedly raised in interrogatories 12 and 23 and file a notice with the court stating that counsel has complied with this directive. Alternatively, counsel is <b>DIRECTED</b> to <b>SHOW CAUSE</b> why the purportedly unsigned form of the objections in interrogatories 12 and 23 is proper. Counsel must file the notice or, alternatively, response to show cause order, by June 21, 2019. Signed by Magistrate Judge Lisette M. Reid on 6/14/2019. (js05) Modified on 6/14/2019 (fbn). (Entered: 06/14/2019)
06/14/2019	<a href="#">62</a>	NOTICE of Inquiry by Alphonza Bryant. Docket sheet sent through DE <a href="#">62</a> . (lbc) (Entered: 06/14/2019)
06/14/2019	<a href="#">61</a>	Second MOTION for Extension of Time by Alphonza Bryant. Responses due by 6/28/2019 (lbc) (Entered: 06/14/2019)
06/14/2019	<a href="#">60</a>	OBJECTIONS to Menocal's Interrogatories by Alphonza Bryant (lbc) (Entered: 06/14/2019)
05/29/2019	<a href="#">59</a>	PAPERLESS ORDER denying, without prejudice, <a href="#">58</a> Motion for Default Judgment. Plaintiff has filed a purported motion for default judgment alleging that defendant Menocal has failed to respond to his request for interrogatories. This motion is in the nature of a motion to compel, and the court treats it as such. However, motions to compel discovery "must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action." Fed. R. Civ. P. 37(a). Here, the instant motion contains no such certification. Therefore, the court denies the instant motion to compel and instructs plaintiff, to the extent he still deems it necessary, to confer with the attorney for Menocal regarding the particular discovery issues he purports to raise in the instant motion, assuming there are truly any. The parties may confer in person, over the telephone, or in writing, subject, of course, to any contrary prison regulations. See S.D. Fla. Local Rule 7.1(a)(3). Signed by Magistrate Judge Lisette M. Reid on 5/29/2019. (js05) (Entered: 05/29/2019)
05/29/2019	<a href="#">58</a>	MOTION for Default by Alphonza Bryant. (lbc) (Entered: 05/29/2019)



05/28/2019	57	PAPERLESS ORDER re <a href="#">53</a> Notice to Take Deposition filed by Menocal, A. Martinez. Defendant A. Martinez's notice to take deposition (DE#53) is hereby STRICKEN. Discovery is a self-managed process that contemplates little, if any, court intervention. See Inland Am. (LIP) SUB, LLC v. Lauth, No. 109-CV-00893-SEB-JMS, 2010 WL 670546, at *1 (S.D. Ind. Feb. 19, 2010). To that end, the Local Rules for the Southern District of Florida provide: "Initial and expert disclosures and the following discovery requests, responses, objections, notices or any associated proof of service SHALL NOT BE FILED until they are used in the proceeding or the court orders their filing: (1) deposition transcripts; (2) interrogatories; (3) requests for documents, electronically stored information or things, or to permit entry upon land; (4) requests for admission; and (5) notices of taking depositions or notices of serving subpoenas." Signed by Magistrate Judge Lisette M. Reid on 5/28/2019. (js05) (Entered: 05/28/2019)
05/28/2019	56	PAPERLESS ORDER denying, without prejudice, <a href="#">52</a> Motion to Appoint Counsel. District courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In exceptional circumstances, the court may request an attorney to voluntarily represent such a plaintiff. See 28 U.S.C. § 1915(e)(1). However, at this stage in the proceedings, plaintiff has yet to show exceptional circumstances warranting the appointment of counsel. Signed by Magistrate Judge Lisette M. Reid on 5/28/2019. (js05) (Entered: 05/28/2019)
05/28/2019	55	PAPERLESS ORDER re <a href="#">50</a> Amended Complaint filed by Alphonza Bryant. Plaintiff's amended complaint (DE#50) is hereby STRICKEN in accordance with DE#54. Signed by Magistrate Judge Lisette M. Reid on 5/28/2019. (js05) (Entered: 05/28/2019)
05/28/2019	54	PAPERLESS ORDER DENYING, without prejudice, MOTION FOR LEAVE TO AMEND COMPLAINT. Federal Rule of Civil Procedure 15(a)... instructs that[,] [after] service of a responsive pleading, leave of court to amend shall be freely given when justice so requires. Mederos v. United States, 218 F.3d 1252, 1254 (11th Cir. 2000) (quoting Fed. R. Civ. P. 15(a)(2)). However, while [l]eave to amend shall be freely given when justice so requires, a motion to amend may be denied on numerous grounds such as undue delay, undue prejudice to the defendants, and futility of the amendment. Maynard v. Bd. of Regents, 342 F.3d 1281, 1287 (11th Cir. 2003) (alteration in original) (citation omitted); see also Foman v. Davis, 371 U.S. 178, 182 (1962) (stating that courts can deny a motion for leave to amend under Rule 15(a) for reasons such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, [and] futility of [the] amendment). Here, plaintiff's motion for leave to amend his complaint



		is a barebones document. Therefore, the court cannot adequately assess the propriety of granting him leave to amend in light of the aforementioned governing principles. Accordingly, his motion for leave to amend complaint (DE#51) is hereby DENIED WITHOUT PREJUDICE. Signed by Magistrate Judge Lisette M. Reid on 5/28/2019. (js05) (Entered: 05/28/2019)
05/24/2019	<a href="#">53</a>	(STRICKEN PER DE#57)NOTICE to Take Deposition of Alphonza Bryant by A. Martinez, Menocal.(Barker, Maria)Text Modified on 5/28/2019 (cqs). (Entered: 05/24/2019)
05/20/2019	<a href="#">52</a>	MOTION for Appointment of Counsel by Alphonza Bryant. Responses due by 6/3/2019 (mee) (Entered: 05/21/2019)
05/20/2019	<a href="#">51</a>	Plaintiff's MOTION for Leave to Amend Complaint <a href="#">1</a> Complaint 42 USC 1983 or Bivens by Alphonza Bryant. Responses due by 6/3/2019 (mee) (Entered: 05/21/2019)
05/20/2019	<a href="#">50</a>	(STRICKEN PER DE#55)AMENDED COMPLAINT against A. Martinez, Menocal, Secretary, Department of Corrections filed in response to Order Granting Motion for Leave, filed by Alphonza Bryant.(mee)Text Modified on 5/28/2019 (cqs). (Entered: 05/21/2019)
05/15/2019	49	PAPERLESS ORDER re <a href="#">48</a> Notice (Other) filed by Alphonza Bryant. Plaintiff's notice, DE#48, is hereby STRICKEN. Discovery is a self-managed process that contemplates little, if any, court intervention. See Inland Am. (LIP) SUB, LLC v. Lauth, No. 109-CV-00893-SEB-JMS, 2010 WL 670546, at *1 (S.D. Ind. Feb. 19, 2010). To that end, the Local Rules for the Southern District of Florida provide: "Initial and expert disclosures and the following discovery requests, responses, objections, notices or any associated proof of service SHALL NOT BE FILED until they are used in the proceeding or the court orders their filing: (1) deposition transcripts; (2) interrogatories; (3) requests for documents, electronically stored information or things, or to permit entry upon land; (4) requests for admission; and (5) notices of taking depositions or notices of serving subpoenas." Signed by Magistrate Judge Lisette M. Reid on 5/15/2019. (js05) (Entered: 05/15/2019)
05/15/2019	<a href="#">48</a>	(STRICKEN PER DE#49)NOTICE of Filing request from Public Records Coordinator Florida Department of Corredions by Alphonza Bryant (mee) Modified text on 5/16/2019 (mr1). Text Modified on 5/16/2019 (cqs). (Entered: 05/15/2019)
05/13/2019	47	PAPERLESS ORDER granting <a href="#">46</a> Motion for Extension of Time. Signed by Magistrate Judge Lisette M. Reid on 5/13/2019. (js05) (Entered: 05/13/2019)

05/13/2019	<a href="#">46</a>	MOTION for Extension of Time To comply with Plaintiff's Discovery request by A. Martinez, Menocal. Responses due by 5/28/2019 (Barker, Maria) (Entered: 05/13/2019)
05/09/2019	45	PAPERLESS ORDER granting in part and denying in part, without prejudice, <a href="#">43</a> Motion to Take Deposition. Defendants, including defendant Martinez, have moved to take plaintiff's deposition because he is incarcerated. However, defendant Martinez had previously filed a motion to stay discovery. Therefore, it is unclear whether Martinez seeks to stay discovery or to proceed with it. If it is the former, it would not be proper to allow him to proceed with discovery by granting the instant motion. Therefore, the court denies this motion without prejudice as to Martinez. Martinez may file any proper motion that is consistent with the other relief that he seeks. However, this motion is GRANTED as to defendant Menocal. Signed by Magistrate Judge Lisette M. Reid on 5/9/2019. (js04) (Entered: 05/09/2019)
05/09/2019	44	PAPERLESS ORDER denying, without prejudice, <a href="#">41</a> Motion to Stay Discovery. Defendant Martinez has moved for a stay of discovery, alleging that he is on active duty and therefore is entitled to a stay under the SCRA. Subsequently, however, Martinez moved to take plaintiff's deposition. Therefore, it is unclear whether Martinez is still seeking a stay. Accordingly, this motion is denied without prejudice. If Martinez is still seeking a stay under the SCRA, he may file a proper motion specifying the relevant dates of service and the relief he seeks. Signed by Magistrate Judge Lisette M. Reid on 5/9/2019. (js04) (Entered: 05/09/2019)
05/08/2019	<a href="#">43</a>	MOTION to Take Deposition from Alphonza Bryant by A. Martinez, Menocal. (Barker, Maria) (Entered: 05/08/2019)
05/08/2019	<a href="#">42</a>	NOTICE by A. Martinez, Menocal <i>Notice of Taking Deposition</i> (Barker, Maria) (Entered: 05/08/2019)
04/30/2019	<a href="#">41</a>	MOTION to Stay <i>Discovery</i> by A. Martinez. Responses due by 5/14/2019 (Attachments: # <a href="#">1</a> Affidavit)(Barker, Maria) (Entered: 04/30/2019)
04/29/2019	40	PAPERLESS ORDER denying, without prejudice, <a href="#">39</a> motion for video footage and documents. This purported motion is truly a discovery request that should have been directed at defendants. Discovery is a self-managed process that contemplates little, if any, court intervention. See <i>Inland Am. (LIP) SUB, LLC v. Lauth</i> , No. 109-CV-00893-SEB-JMS, 2010 WL 670546, at *1 (S.D. Ind. Feb. 19, 2010). To that end, the Local Rules for the Southern District of Florida provide: "Initial and expert disclosures and the following discovery requests, responses, objections, notices or any associated proof of service shall not be filed until they are used in the proceeding or the court orders their filing: (1) deposition transcripts; (2) interrogatories; (3) requests for documents, electronically stored

		information or things, or to permit entry upon land; (4) requests for admission; and (5) notices of taking depositions or notices of serving subpoenas." Signed by Magistrate Judge Lisette M. Reid on 4/29/2019. (js05) (Entered: 04/29/2019)
04/29/2019	<a href="#">39</a>	MOTION for video footage and documents by Alphonza Bryant. (lbc) (Entered: 04/29/2019)
04/18/2019	38	AMENDED ORDER SCHEDULING PRETRIAL PROCEEDINGS WHEN PLAINTIFF IS PROCEEDING PRO SE: Amended Pleadings due by 7/15/2019. Discovery due by 6/11/2019. Joinder of Parties due by 7/15/2019. Dispositive Motions due by 8/12/2019. Plaintiff Pretrial Statement due by 8/26/2019. Defendants Pretrial Statement due by 9/9/2019. The court's original order scheduling pretrial proceedings when plaintiff is proceeding pro se (DE#26) shall otherwise remain in full force. Signed by Magistrate Judge Lisette M. Reid on 4/18/2019. (js05) (Entered: 04/18/2019)
04/18/2019	37	PAPERLESS ORDER granting <a href="#">36</a> Motion for Extension of Time of Discovery Cutoff Deadline. The court will entered an amended scheduling order forthwith. Signed by Magistrate Judge Lisette M. Reid on 4/18/2019. (js05) (Entered: 04/18/2019)
04/18/2019	<a href="#">36</a>	MOTION for Extension of Time of Discovery Cutoff Deadline by Alphonza Bryant. (mee) (Entered: 04/18/2019)
04/16/2019	35	PAPERLESS ORDER re <a href="#">31</a> Notice (Other) filed by Alphonza Bryant, <a href="#">30</a> Notice (Other) filed by Alphonza Bryant, <a href="#">32</a> Notice (Other) filed by Alphonza Bryant. The notices of discovery filed in DE#s 30, 31, and 32 are hereby STRICKEN. Unless such materials are used to support a motion, parties are not allowed to file discovery materials with the court. S.D. Fla. Local Rule 26.1(b). As a general matter, discovery is a process managed by the parties that involves limited, if any, court involvement. See Inland Am. (LIP) SUB, LLC v. Lauth, No. 109-CV-00893-SEB-JMS, 2010 WL 670546, at *1 (S.D. Ind. Feb. 19, 2010). Signed by Magistrate Judge Lisette M. Reid on 4/16/2019. (js05) (Entered: 04/16/2019)
04/16/2019	34	PAPERLESS ORDER denying, without prejudice, <a href="#">29</a> Motion to Appoint Counsel. District courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In exceptional circumstances, the court may request an attorney to voluntarily represent such a plaintiff. See 28 U.S.C. § 1915(e)(1). However, at this stage in the proceedings, plaintiff has yet to show exceptional circumstances warranting the appointment of counsel. Signed by Magistrate Judge Lisette M. Reid on 4/16/2019. (js05) (Entered: 04/16/2019)

04/16/2019	33	PAPERLESS ORDER STRIKING AMENDED COMPLAINT WITHOUT PREJUDICE. Plaintiff filed an amended complaint. DE#28. However, the last answer was filed on January 4, 2019. DE#24. Therefore, plaintiff was required to seek leave to amend the complaint under Fed. R. Civ. 15(a). Therefore, the amended complaint (DE#28) is hereby STRICKEN WITHOUT PREJUDICE. Signed by Magistrate Judge Lisette M. Reid on 4/16/2019. (js05) (Entered: 04/16/2019)
04/16/2019	<a href="#">32</a>	(STRICKEN)NOTICE of Filing Request for Documents by Alphonza Bryant (lbc)Text Modified on 4/16/2019 (cqs). (Entered: 04/16/2019)
04/16/2019	<a href="#">31</a>	(STRICKEN)NOTICE of filing Interrogatories (Martinez) by Alphonza Bryant (lbc)Text Modified on 4/16/2019 (cqs). (Entered: 04/16/2019)
04/16/2019	<a href="#">30</a>	(STRICKEN)NOTICE of filing Interrogatories to Menocal by Alphonza Bryant (lbc)Text Modified on 4/16/2019 (cqs). (Entered: 04/16/2019)
04/16/2019	<a href="#">29</a>	MOTION to Appoint Counsel by Alphonza Bryant. Responses due by 4/30/2019 (lbc) (Entered: 04/16/2019)
04/16/2019	<a href="#">28</a>	(STRICKEN) AMENDED COMPLAINT filed by Alphonza Bryant. (Attachments: # <a href="#">1</a> Exhibit)(lbc)Text Modified on 4/16/2019 (cqs). (Entered: 04/16/2019)
01/18/2019	<a href="#">27</a>	NOTICE of Inquiry (copy of DE <a href="#">1</a> mailed) by Alphonza Bryant (mee) (Entered: 01/18/2019)
01/07/2019	<a href="#">26</a>	ORDER SCHEDULING PRETRIAL PROCEEDINGS WHEN PLAINTIFF IS PROCEEDING PRO SE: Amended Pleadings due by 6/14/2019. Discovery due by 5/10/2019. Joinder of Parties due by 6/14/2019. Dispositive Motions due by 7/12/2019. Plaintiff Pretrial Statement due by 7/26/2019. Defendants Pretrial Statement due by 8/9/2019. Signed by Magistrate Judge Lisette Marie Reid on 1/7/2019. <i>See attached document for full details.</i> (fbn)  <a href="#">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.</a> Modified on 1/7/2019 (fbn). (Entered: 01/07/2019)
01/04/2019	<a href="#">24</a>	ANSWER and Affirmative Defenses to Complaint with Jury Demand by A. Martinez. Attorney Maria Guitian Barker added to party A. Martinez(pty:dft). (Barker, Maria) (Entered: 01/04/2019)
01/03/2019	25	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. (yar) (Entered: 01/04/2019)

12/20/2018	<a href="#">23</a>	PAPERLESS ORDER denying, without prejudice, <a href="#">22</a> Motion to Amend/Correct. Plaintiff has not stated the factual basis upon which he seeks to amend his complaint. Furthermore, in contravention of Local Rule 15.1, plaintiff did not include the entire amended complaint with his motion to amend. Accordingly, this motion is denied without prejudice. Signed by Magistrate Judge Patrick A. White on 12/20/2018. (js04) (Entered: 12/20/2018)
12/20/2018	<a href="#">22</a>	MOTION to Amend <a href="#">1</a> Complaint by Alphonza Bryant. Responses due by 1/3/2019. (lbc) (Entered: 12/20/2018)
12/07/2018	<a href="#">21</a>	PAPERLESS ORDER denying <a href="#">20</a> Motion to Appoint Counsel. District courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. <i>Mallard v. United States Dist. Court</i> , 490 U.S. 296, 298 (1989). In exceptional circumstances, the court may request an attorney to voluntarily represent such a plaintiff. See 28 U.S.C. § 1915(e)(1). However, at this stage in the proceedings, plaintiff has yet to show exceptional circumstances warranting the appointment of counsel. Signed by Magistrate Judge Patrick A. White on 12/7/2018. (js04) (Entered: 12/07/2018)
12/07/2018	<a href="#">20</a>	MOTION to Appoint Counsel by Alphonza Bryant. Responses due by 12/21/2018 (mee) (Entered: 12/07/2018)
11/13/2018	<a href="#">19</a>	<i>Defendant, Menocal</i> ANSWER and Affirmative Defenses to Complaint with Jury Demand by Menocal. Attorney Maria Guitian Barker added to party Menocal(pty:dft). (Barker, Maria) (Entered: 11/13/2018)
11/05/2018	<a href="#">18</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983 or Bivens with a 21 day response/answer filing deadline Menocal served on 11/2/2018, answer due 11/23/2018. (mee) (Entered: 11/05/2018)
08/07/2018	<a href="#">17</a>	Summons Issued as to Officer A. Martinez. (yar) (Entered: 08/07/2018)
08/07/2018	<a href="#">16</a>	Summons Issued as to Officer Menocal. (yar) (Main Document 16 replaced on 8/7/2018) (yar). (Entered: 08/07/2018)
08/06/2018	<a href="#">15</a>	ORDER RE SERVICE OF PROCESS REQUIRING PERSONAL SERVICE UPON AN INDIVIDUAL: Officer A. Martinez and Officer Menocal. Signed by Magistrate Judge Patrick A. White on 8/6/2018. <i>See attached document for full details.</i> (fbn) (Entered: 08/06/2018)
07/23/2018	<a href="#">14</a>	ORDER ADOPTING REPORT AND RECOMMENDATIONS for <a href="#">1</a> Complaint 42 USC 1983 or Bivens filed by Alphonza Bryant ; Secretary, Department of Corrections (Julie Jones, in her official capacity) terminated. ; Adopting <a href="#">12</a> Report and Recommendations. Signed by Judge Kenneth A. Marra on 7/20/2018. <i>See attached document for full details.</i> (ir) (Entered: 07/23/2018)



06/12/2018	<a href="#"><u>13</u></a>	NOTICE of Change of Address (address updated) by Alphonza Bryant (mee) (Entered: 06/12/2018)
05/14/2018	<a href="#"><u>12</u></a>	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <a href="#"><u>1</u></a> Complaint 42 USC 1983 or Bivens filed by Alphonza Bryant; Recommending that plaintiff be allowed to proceed with his Eighth Amendment excessive force claim against the Officers. It is further recommended that plaintiff's Fourth and Fourteenth Amendment claims be dismissed. Julie Jones be dismissed as a defendant. Also, the case be recaptioned to reflect the dismissal of Jones. Objections to R&R due by 5/29/2018. Signed by Magistrate Judge Patrick A. White on 5/14/2018. (fbn) (Entered: 05/14/2018)
04/30/2018	<a href="#"><u>11</u></a>	ORDER PERMITTING PLAINTIFF TO PROCEED WITHOUT PREPAYMENT OF FILING FEE BUT ESTABLISHING DEBT TO CLERK OF \$350.00 granting <a href="#"><u>10</u></a> 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. <b>USM Service NOT Ordered</b> . Signed by Magistrate Judge Patrick A. White on 4/30/2018. (fbn) (Entered: 04/30/2018)
04/30/2018	<a href="#"><u>10</u></a>	MOTION for Leave to Proceed in forma pauperis by Alphonza Bryant. (mee) (Entered: 04/30/2018)
04/30/2018	<a href="#"><u>9</u></a>	NOTICE of Change of Address (address updated) by Alphonza Bryant (mee) (Entered: 04/30/2018)
04/11/2018	<a href="#"><u>8</u></a>	ORDER DENYING MOTION TO PROCEED IFP WITHOUT PREJUDICE denying <a href="#"><u>3</u></a> Motion for Leave to Proceed in forma pauperis. On or before April 23, 2018, plaintiff shall either pay the Clerks filing fee of \$350.00 or, in the alternative, file a motion to proceed in forma pauperis with supporting financial affidavit upon the form provided with this Order, together with a prison account statement showing plaintiffs past six months of financial transactions. If plaintiff moves to proceed in forma pauperis, he must fill out the form completely. Motions due by 4/23/2018. Signed by Magistrate Judge Patrick A. White on 4/11/2018. (Attachments: # <a href="#"><u>1</u></a> IFP Form) (fbn) (Entered: 04/11/2018)
04/11/2018	<a href="#"><u>7</u></a>	INITIAL ORDER OF INSTRUCTIONS TO PRO SE LITIGANT. Signed by Magistrate Judge Patrick A. White on 4/11/2018. (fbn) (Entered: 04/11/2018)
03/29/2018	<a href="#"><u>6</u></a>	NOTICE OF INTENT TO SUE by Alphonza Bryant (vmz) (Entered: 03/29/2018)
03/29/2018	<a href="#"><u>5</u></a>	NOTICE OF CLAIM by Alphonza Bryant (vmz) (Entered: 03/29/2018)



03/29/2018	<a href="#"><u>4</u></a>	AFFIDAVIT Filed and Signed by Alphonza Bryant (vmz) (Entered: 03/29/2018)
03/29/2018	<a href="#"><u>3</u></a>	MOTION for Leave to Proceed in forma pauperis by Alphonza Bryant. (vmz) (Entered: 03/29/2018)
03/29/2018	2	<p>Clerks Notice of Judge Assignment to Judge Kenneth A. Marra and Magistrate Judge Patrick A. White.</p> <p>Pursuant to Administrative Order 2003-19, this matter is referred to the Magistrate Judge for a ruling on all pre-trial, non-dispositive matters and for a Report and Recommendation on any dispositive matters. (vmz) (Entered: 03/29/2018)</p>
03/29/2018	<a href="#"><u>1</u></a>	Complaint pursuant to 42 USC 1983 against A. Martinez, Menocal, Secretary, Department of Corrections. Filing fee \$ 350.00. IFP Filed, filed by Alphonza Bryant. (Attachments: # <a href="#"><u>1</u></a> Exhibit)(vmz) (Entered: 03/29/2018)