

**U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:20-cv-21242-KMM**

Knowles v. Inch et al
Assigned to: Chief Judge K. Michael Moore
Referred to: Magistrate Judge Lauren Fleischer Louis
Case in other court: 21-11687-J
Cause: 42:1983 State Prisoner Civil Rights

Date Filed: 03/23/2020
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Jamie Knowles

represented by **Jamie Knowles**
M86421
Blackwater River Correctional
Facility
Inmate Mail/Parcels
5914 Jeff Ates Road
Milton, FL 32583
PRO SE

V.

Defendant

Mark Inch
Sec'y FLA. Dept. of Corrections
TERMINATED: 02/19/2021

Defendant

Florida Department of Corrections
TERMINATED: 02/19/2021

Defendant

Warden Colon
Dade C.I.
TERMINATED: 02/19/2021

Defendant

LT. Masso
Dade C.I.

represented by **Stacey Blume**
Office of the Attorney General
110 S.E. 6th Street, 10th Floor (Civil)

Fort Lauderdale, FL 33301
954-712-4686
Email:
stacey.blume@myfloridalegal.com
ATTORNEY TO BE NOTICED

Defendant

Sergeant Barnett

represented by **Stacey Blume**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Correctional Officer McCloud

represented by **Stacey Blume**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Centerion Health Services

TERMINATED: 02/19/2021

Defendant




Sergeant Joseph

represented by **Stacey Blume**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Gang Sergeant Rodriguez

TERMINATED: 02/19/2021

Date Filed	#	Docket Text
05/27/2022	 <u>79</u>	MOTION for Extension of Deadline by Jamie Knowles. (ebz) (Entered: 05/27/2022)
05/27/2022	<u>78</u>	Plaintiff's First Set of Interrogatories to Defendants by Jamie Knowles. (ebz) (Entered: 05/27/2022)
05/27/2022	 <u>77</u>	MOTION to Depose Defendant's/With Leave of the Court by Jamie Knowles. (ebz) (Entered: 05/27/2022)
05/27/2022	 <u>76</u>	MOTION For Appointment Counsel by Jamie Knowles. Responses due by 6/10/2022 (ebz) (Entered: 05/27/2022)
05/27/2022	<u>75</u>	Plaintiff's Objection to Defendant's Motion re <u>74</u> Defendant's MOTION to Compel <i>Discovery Responses and to Determine the Sufficiency of Answers and Objections</i> filed by Jamie Knowles. Replies due by

		6/3/2022. (ebz) (Entered: 05/27/2022)
05/12/2022	71 74	Defendant's MOTION to Compel <i>Discovery Responses and to Determine the Sufficiency of Answers and Objections</i> by Correctional Officer McCloud, LT. Masso, Sergeant Barnett, Sergeant Joseph. Responses due by 5/26/2022 (Attachments: # <u>1</u> Exhibit Exh. A Pla's. Responses to Interrogs & RFP)(Blume, Stacey) (Entered: 05/12/2022)
05/10/2022	73	PAPERLESS ORDER granting <u>72</u> Motion to Take Deposition from Plaintiff Jamie Knowles. Pursuant to Fed. R. Civ. Pro. 30(a)(2)(B), leave is granted for Defendants to depose Plaintiff, who is currently confined in prison. Signed by Magistrate Judge Lauren Fleischer Louis on 5/10/2022. (LFL) (Entered: 05/10/2022)
05/09/2022	<u>72</u>	Defendant's MOTION to Take Deposition from Jamie Knowles by Correctional Officer McCloud, LT. Masso, Sergeant Barnett, Sergeant Joseph. (Blume, Stacey) (Entered: 05/09/2022)
04/22/2022	71	NOTICE of Compliance re 70 Order on Motion for Extension of Time to File Response/Reply/Answer. (Copy of Order mailed to Plaintiff) (amb) (Entered: 04/25/2022)
04/22/2022	70	PAPERLESS ORDER. THIS CAUSE came before the Court upon pro se Plaintiff Jamie Knowles's Motion for Extension of Time to Complete Defendants' First Set of Interrogatories. <u>66</u> . Defendants do not oppose the Motion. <u>68</u> at 2. UPON CONSIDERATION of the Motion, Defendants' Response, the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that pro se Plaintiff Jamie Knowles's Motion for Extension of Time to Complete Defendants' First Set of Interrogatories <u>66</u> is GRANTED to the extent that Plaintiff shall send Defendants a response to Defendants' first set of interrogatories on or before May 6, 2022. The Clerk of Court is INSTRUCTED to SEND Plaintiff a copy of this Order. Signed by Judge K. Michael Moore on 4/22/2022. (elm) (Entered: 04/22/2022)
04/21/2022	<u>69</u>	ORDER denying w/o prejudice <u>60</u> Motion for Summary Judgment; granting <u>65</u> Motion to Strike. Signed by Judge K. Michael Moore on 4/21/2022. <i>See attached document for full details.</i> (lbc) (Entered: 04/21/2022)
03/29/2022	<u>68</u>	RESPONSE to Motion re <u>66</u> MOTION for Extension of Time to File Response/Reply/Answer filed by LT. Masso, Sergeant Barnett, Sergeant Joseph. Replies due by 4/5/2022. (Attachments: # <u>1</u> Exhibit Exh. A Declaration T. Kemp)(Blume, Stacey) (Entered: 03/29/2022)
03/24/2022	67	PAPERLESS ORDER requiring expedited response. On March 10, 2022, Plaintiff mailed a Motion for Extension of Time (ECF No. 66) to the Clerk's Office that was subsequently filed on March 21, 2022.

		Plaintiff avers that he received Defendants' interrogatories on February 11, 2022, for which responses were due by March 3, 2022. Plaintiff's Motion seeks an extension of 20 days to serve his answers. Plaintiff also states he was not able to confer with the Attorney General and thus the Defendants' position is not advanced in the Motion. Accordingly, and by no later than March 30, 2022, Defendants shall respond and explain their position. Signed by Magistrate Judge Lauren Fleischer Louis on 3/24/2022. (nce) (Entered: 03/24/2022)
03/21/2022	<u>66</u>	MOTION for Extension of Time to Complete Defendants First Set Of Interrogatories by Jamie Knowles. (ebz) (Entered: 03/23/2022)
02/11/2022	<u>65</u>	Defendant's MOTION to Strike <i>Plaintiff's Second Statement of Undisputed Facts and Motion for Summary Judgment</i> by Correctional Officer McCloud, LT. Masso, Sergeant Barnett, Sergeant Joseph. Responses due by 2/25/2022 (Blume, Stacey) (Entered: 02/11/2022)
02/01/2022	<u>64</u>	STRICKEN PER DE <u>69</u> .. Statement of: of Undisputed Facts by Jamie Knowles (ebz) Modified on 4/21/2022 (lbc). (Entered: 02/01/2022)
02/01/2022	<u>63</u>	STRICKEN PER DE <u>69</u> .. Brief In Support Of <u>60</u> MOTION for Summary Judgment filed by Jamie Knowles. (ebz) Modified on 4/21/2022 (lbc). (Entered: 02/01/2022)
02/01/2022	<u>62</u>	STRICKEN PER DE <u>69</u> .. Declaration In Support of <u>60</u> MOTION for Summary Judgment filed by Jamie Knowles. (ebz) Modified on 4/21/2022 (lbc). (Entered: 02/01/2022)
02/01/2022	<u>61</u>	STRICKEN PER DE <u>69</u> .. Resubmitting Summary Judgment and The Submitting Of An AFFIDAVIT re <u>46</u> Statement, <u>45</u> MOTION for Summary Judgment, <u>47</u> Affidavit in Support of Motion, <u>48</u> Memorandum by Jamie Knowles (ebz) Modified on 4/21/2022 (lbc). (Entered: 02/01/2022)
02/01/2022	<u>60</u>	STRICKEN PER DE <u>69</u> .. MOTION for Summary Judgment by Jamie Knowles. Responses due by 2/15/2022 (ebz) Modified on 4/21/2022 (lbc). (Entered: 02/01/2022)
01/21/2022	<u>59</u>	ORDER SCHEDULING PRETRIAL PROCEEDINGS WHEN PLAINTIFF IS PROCEEDING PRO SE and REFERRING PRETRIAL DISCOVERY MATTERS TO MAGISTRATE JUDGE LAUREN F. LOUIS. The Clerk of Court is INSTRUCTED to TRANSMIT a copy of this Order to Plaintiff. Signed by Judge K. Michael Moore on 1/21/2022. <i>See attached document for full details.</i> (elm) (Entered: 01/21/2022)
01/18/2022	<u>58</u>	ORDER GRANTING <u>52</u> Motion to Strike. The Clerk of Court is INSTRUCTED to STRIKE Plaintiff's Motion for Summary Judgment <u>45</u> and Statement of Undisputed Facts <u>46</u> from the docket. Signed by Judge K. Michael Moore on 1/18/2022. <i>See attached document for full details.</i>

		(elm) (Entered: 01/18/2022)
01/07/2022	<u>57</u>	<i>Defendants'</i> ANSWER and Affirmative Defenses to Complaint with Jury Demand by Correctional Officer McCloud, LT. Masso, Sergeant Barnett, Sergeant Joseph. (Blume, Stacey) (Entered: 01/07/2022)
12/20/2021	56	PAPERLESS ORDER. THIS CAUSE came before the Court upon Defendants Sergeant Barnett, Sergeant Joseph, LT. Masso, and Correctional Officer McCloud's (collectively, "Defendants") Expedited Motion for Enlargement of Time. <u>53</u> . Therein, Defendants request a twenty-one (21) day extension of time to respond to Plaintiff's operative complaint after the Court screens pro se Plaintiff Jamie Knowles's <u>37</u> Amended Complaint. Id. at 1. Defendants inform the Court that their response to Plaintiff's Complaint <u>1</u> is due on or before December 22, 2021, however an intervening Amended Complaint <u>37</u> was filed. Id. at 3-4. Accordingly, Defendants "request an extension of time to respond until such time as the Court has reviewed the Amended Complaint and determined that Plaintiff has a reasonable opportunity to prevail on the merits." Id. at 4. Defendants' counsel conferred with Plaintiff, who is pro se. Id. at 5. Based on the foregoing, the Court finds good cause for the requested extension of time. See Fed. R. Civ. P. 6(b). Accordingly, UPON CONSIDERATION of the Motion, the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that the Motion <u>53</u> is GRANTED. Defendants shall respond to Plaintiff's Complaint <u>1</u> within 21 days from the Court's Order <u>55</u> denying without prejudice Plaintiff's <u>36</u> Motion for Leave to File an Amended Complaint. Signed by Judge K. Michael Moore on 12/20/2021. (elm) (Entered: 12/20/2021)
12/18/2021	<u>55</u>	ORDER DENYING WITHOUT PREJUDICE Plaintiff's <u>36</u> Motion for Leave to File an Amended Complaint. Signed by Judge K. Michael Moore on 12/17/2021. <i>See attached document for full details.</i> (elm) (Entered: 12/18/2021)
12/18/2021	<u>54</u>	ORDER GRANTING Plaintiff's <u>38</u> Motion for Referral to Volunteer Attorney Program; DENYING Plaintiff's <u>49</u> Application for the Court to Request Counsel and <u>51</u> Application Asking for the Court to Please Request Counsel, which the Court construes together as a Motion to Appoint Counsel. Signed by Judge K. Michael Moore on 12/17/2021. <i>See attached document for full details.</i> (elm) (Entered: 12/18/2021)
12/17/2021	<u>53</u>	Defendant's EXPEDITED MOTION Enlargement of Time by LT. Masso, Sergeant Barnett, Sergeant Joseph. (Blume, Stacey) (Entered: 12/17/2021)
12/10/2021	<u>52</u>	Defendant's MOTION to Strike <u>46</u> Statement, <u>45</u> MOTION for Summary Judgment by Correctional Officer McCloud, LT. Masso, Sergeant Barnett, Sergeant Joseph. Attorney Stacey Blume added to

		party Correctional Officer McCloud(pty:dft), Attorney Stacey Blume added to party LT. Masso(pty:dft), Attorney Stacey Blume added to party Sergeant Joseph(pty:dft). Responses due by 12/27/2021 (Blume, Stacey) (Entered: 12/10/2021)
12/10/2021	<u>51</u>	Application asking for the Court to please request Counsel by Jamie Knowles. Responses due by 12/27/2021 (ebz) (Entered: 12/10/2021)
12/09/2021	<u>50</u>	SUMMONS (Affidavit) Returned Executed on <u>37</u> Amended Complaint/Amended Notice of Removal with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 Sergeant Joseph served on 12/1/2021, response/answer due 12/22/2021. (ebz) (Entered: 12/09/2021)
12/02/2021	<u>49</u>	Application for the Court to Request Counsel by Jamie Knowles. Responses due by 12/16/2021 (ebz) (Entered: 12/03/2021)
11/30/2021	<u>48</u>	Brief in Support of <u>45</u> MOTION for Summary Judgment by Jamie Knowles. (ebz) (Entered: 11/30/2021)
11/30/2021	<u>47</u>	Declaration in Support of <u>45</u> MOTION for Summary Judgment filed by Jamie Knowles. (ebz) (Entered: 11/30/2021)
11/30/2021	<u>46</u>	"STRICKEN" Statement of: of Undisputed Facts by Jamie Knowles re <u>45</u> MOTION for Summary Judgment (ebz) Modified on 1/19/2022 (ls). (per DE # <u>58</u>) (Entered: 11/30/2021)
11/30/2021	<u>45</u>	"STRICKEN" MOTION for Summary Judgment by Jamie Knowles. Responses due by 12/14/2021 (ebz) Modified on 1/19/2022 (ls). (per DE # <u>58</u>) (Entered: 11/30/2021)
11/30/2021	<u>44</u>	NOTICE of Inquiry by Jamie Knowles. (Copy of Docket Sheet mailed) (ebz) (Entered: 11/30/2021)
11/30/2021	<u>43</u>	NOTICE of Change of Address by Jamie Knowles. (Address Updated) (ebz) (Entered: 11/30/2021)
11/30/2021	<u>42</u>	Summons Reissued as to Sergeant Joseph. (daa) (Entered: 11/30/2021)
11/18/2021	<u>41</u>	NOTICE of Filing Proposed Summons(es) by Jamie Knowles (jc) (Entered: 11/18/2021)
10/18/2021	40	Clerks Notice to Filer re: Summons(es) cannot be issued. Summons NOT issued for the following reason - Incorrect form, AO 440 Summons in a Civil Action form needed. (ebz) (Entered: 10/18/2021)
10/18/2021	<u>39</u>	NOTICE OF Inquiry/filing by Jamie Knowles re <u>38</u> MOTION for Referral to Volunteer Attorney Program, <u>36</u> MOTION for Leave to File, <u>37</u> Amended Complaint/Amended Notice of Removal. (Copy of Docket Sheet mailed) (ebz) Modified text on 10/19/2021 (ebz). (Entered: 10/18/2021)

10/18/2021	<u>38</u>	MOTION for Referral to Volunteer Attorney Program by Jamie Knowles. (ebz) (Entered: 10/18/2021)
10/18/2021	<u>37</u>	AMENDED 1983 CIVIL RIGHTS COMPLAINT against Correctional Officer McCloud, LT. Masso, Sergeant Barnett, Sergeant Joseph, filed by Jamie Knowles.(ebz) (Additional attachment(s) added on 10/19/2021: # <u>1</u> Proposed Summons) (ebz). (Entered: 10/18/2021)
10/18/2021	<u>36</u>	MOTION for Leave to File An Amended Complaint by Jamie Knowles. (ebz) (Entered: 10/18/2021)
09/21/2021	<u>35</u>	SUMMONS (Affidavit) Returned Executed on <u>1</u> Complaint 42 USC 1983 or Bivens, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 Correctional Officer McCloud served on 9/9/2021, answer due 9/30/2021. (ebz) (Entered: 09/21/2021)
09/21/2021	<u>34</u>	SUMMONS (Affidavit) Returned Executed on <u>1</u> Complaint 42 USC 1983 or Bivens, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 LT. Masso served on 9/9/2021, answer due 9/30/2021. (ebz) (Entered: 09/21/2021)
09/16/2021	33	PAPERLESS ORDER. THIS CAUSE came before the Court upon Defendant Sergeant Barnett's ("Defendant") Expedited Motion for Enlargement of Time. <u>32</u> . Therein, Defendant requests a twenty-one (21) day enlargement of time from the date of service on the last served Defendant in this case to file a response. Id. at 3. Defendant argues that the Office of the Attorney General was recently retained to represent Defendant, and while it is not yet certain, it is likely that the Office of the Attorney General will also represent the Defendants who remain to be served. Id. at 2. Defendant argues that "[t]he interests of judicial economy will be served by allowing this brief extension for all Defendants to be served so a determination of representation and a comprehensive response can be produced." Id. at 3. UPON CONSIDERATION of the Motion, the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that Defendants Expedited Motion for Enlargement of Time <u>32</u> is GRANTED. Defendant's response shall be due within twenty-one (21) days of service on the last served Defendant in this action. Signed by Judge K. Michael Moore on 9/16/2021. (hwr) (Entered: 09/16/2021)
09/15/2021	<u>32</u>	MOTION to Expedite <i>Motion for Enlargement of Time</i> by Sergeant Barnett. Attorney Stacey Blume added to party Sergeant Barnett(pty:dft). (Blume, Stacey) (Entered: 09/15/2021)
09/09/2021	<u>31</u>	SUMMONS (Affidavit) Returned Executed on <u>1</u> Complaint 42 USC 1983 or Bivens, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 Sergeant Barnett served on 9/7/2021, answer due

		9/28/2021. (ebz) (Entered: 09/09/2021)
08/27/2021	<u>30</u>	Summons Issued as to Correctional Officer McCloud. (daa) (Entered: 08/27/2021)
08/27/2021	<u>29</u>	Summons Issued as to Lieutenant Masso. (daa) (Entered: 08/27/2021)
08/27/2021	<u>28</u>	Summons Issued as to Sergeant Joseph. (daa) (Entered: 08/27/2021)
08/27/2021	<u>27</u>	Summons Issued as to Sergeant Barnett. (daa) (Entered: 08/27/2021)
08/27/2021	<u>26</u>	ORDER to U.S. Marshal re: Service of Process Requiring Personal Service Upon an Individual. Signed by Judge K. Michael Moore on 8/27/2021. <i>See attached document for full details.</i> (hwr) (Entered: 08/27/2021)
08/17/2021	<u>25</u>	PAPERLESS ORDER. THIS CAUSE came before the Court upon Plaintiff Jamie Knowles's ("Plaintiff") Motion to Reopen/Reinstate Case. <u>24</u> . Therein, Plaintiff requests that the Court reopen his case and allow the Complaint to proceed on his individual-capacity excessive force claims against Defendants Barnett, Joseph, Masso, and McCloud, as well as his individual-capacity medical deliberate indifference claims against Defendants Masso and McCloud. Id. On February 19, 2021, the Court adopted the Report and Recommendation of United States Magistrate Judge Lisette M. Reid, thereby allowing certain claims to proceed, dismissing certain claims with prejudice, dismissing certain claims without prejudice, and granting Plaintiff an opportunity to amend his Complaint. See <u>16</u> . When Plaintiff did not file an amended complaint within the deadline given to do so, the Court dismissed the complaint without prejudice and closed the case. See <u>17</u> . Now, Plaintiff advises the Court that while he does not intend to file an amended complaint, he "wishes to continue prosecution against the named defendants pursuant to the claims approved for trial by the Court in the February 19, 2021 Order." See <u>24</u> at 1. The Court will permit Plaintiff to proceed with the initial Complaint, absent the claims the Court dismissed on February 19, 2021. See <u>16</u> . Accordingly, UPON CONSIDERATION of the Motion, pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that Plaintiff's Motion to Reopen/Reinstate Case <u>24</u> is GRANTED. The Clerk of Court is INSTRUCTED to reopen the case. Signed by Judge K. Michael Moore on 8/17/2021. (hwr) (Entered: 08/17/2021)
07/20/2021	<u>24</u>	MOTION to Reopen/Reinstate Case or NOTICE of Inquiry by Jamie Knowles. (ls) (Entered: 07/20/2021)
07/08/2021	<u>23</u>	ORDER of Dismissal of USCA, DISMISSED for want of prosecution because the Appellant Jamie Knowles failed to pay the filing fees(or file a motion in the district court for relief from the obligation to pay in advance the full fee) to the district court within the time fixed by the

		rules as to <u>18</u> Notice of Appeal, filed by Jamie Knowles, USCA # 21-11687-J (hh) (Entered: 07/08/2021)
06/14/2021	<u>22</u>	<p>PAPERLESS ORDER. THIS CAUSE came before the Court upon Plaintiff's Motion to Re-open/Reinstate Case or Notice of Inquiry. <u>21</u> . Therein, Plaintiff requests that this case be reopened or reinstated to proceed as to certain claims against certain defendants. See generally id. On February 19, 2021, the Court entered an Order adopting Magistrate Judge Reid's Report and Recommendation <u>8</u> , thereby dismissing certain claims with prejudice, dismissing certain claims without prejudice, and granting Plaintiff leave to file an amended complaint within forty-five (45) days. <u>16</u> . On April 16, 2021, because Plaintiff had not filed an amended complaint within the time he was given to do so, the Court dismissed Plaintiff's Complaint without prejudice and closed the case. <u>17</u> . On May 18, 2021, Plaintiff filed a Notice of Appeal of the Court's Order dismissing the Complaint and closing the case. <u>18</u> .</p> <p>"The filing of a notice of appeal is an event of jurisdictional significance--it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal." Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982); see also Weaver v. Fla. Power & Light Co., 172 F.3d 771, 773 (11th Cir. 1999). Here, Plaintiff filed a Notice of Appeal as to the Court's Order dismissing Plaintiff's Complaint and closing the case. See generally <u>18</u> . The Notice of Appeal divested the Court of jurisdiction to reopen the case. Accordingly, Plaintiff's Motion <u>21</u> is DENIED for lack of jurisdiction. Signed by Chief Judge K. Michael Moore on 6/14/2021. (hwr) (Entered: 06/14/2021)</p>
06/08/2021	<u>21</u>	MOTION to Reopen Case/Reinstate Case or Notice of Inquiry by Jamie Knowles. (mc) (Entered: 06/10/2021)
05/20/2021	<u>20</u>	Acknowledgment of Receipt of NOA from USCA re <u>18</u> Notice of Appeal, filed by Jamie Knowles. Date received by USCA: 5/18/21. USCA Case Number: 21-11687-J. (hh) (Entered: 05/20/2021)
05/18/2021	<u>19</u>	CLERK'S NOTICE of Mailing Pro Se Instructions to Jamie Knowles re <u>18</u> Notice of Appeal. (apz) (Entered: 05/18/2021)
05/18/2021		Transmission of Notice of Appeal, Order under appeal and Docket Sheet to US Court of Appeals re <u>18</u> Notice of Appeal, Notice has been electronically mailed. (apz) (Entered: 05/18/2021)
05/18/2021	<u>18</u>	Notice of Appeal re 17 Order Dismissing Case by Jamie Knowles. 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) Modified text on 5/18/2021 (apz). (Entered: 05/18/2021)
04/16/2021	<u>17</u>	PAPERLESS ORDER. THIS CAUSE came before the Court upon a sua sponte examination of the record. On February 19, 2021, the Court entered an Oder Adopting the Report and Recommendation of Magistrate Judge Reid and thereby (1) dismissing without prejudice Plaintiff's claims for excessive force and medical deliberate indifference against unknown and unnamed Defendants; (2) dismissing with prejudice Plaintiff's claims for violations of due process against any Defendant in their official capacity and Plaintiff's claims for medical deliberate indifference against certain named Defendants; and (3) dismissing with prejudice Plaintiff's claims against Defendants Mark Inch, FDOC, Warden Colon, Centerion Health Services, and Sgt. Rodriguez. <u>16</u> at 3-4. The Court granted Plaintiff leave to file an amended complaint within forty-five days of the Court's Order. Id. at 4. The Court cautioned that "[f]ailure to do so may result in dismissal of this matter." Id. As of the date of this Order, Plaintiff has not filed an amended complaint and the time to do so has passed. UPON CONSIDERATION of the Complaint <u>1</u> , the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that the Complaint <u>1</u> is DISMISSED WITHOUT PREJUDICE. The Clerk of Court is INSTRUCTED to close this case. All pending motions, if any, are DENIED AS MOOT. Signed by Chief Judge K. Michael Moore on 4/16/2021. (hwr) (Entered: 04/16/2021)
02/19/2021	<u>16</u>	ORDER Adopting <u>8</u> Report and Recommendations. Signed by Chief Judge K. Michael Moore on 2/19/2021. <i>See attached document for full details.</i> (tsr) (Entered: 02/19/2021)
01/06/2021	<u>15</u>	NOTICE of Inquiry & Change of Address by Jamie Knowles. Address updated and copy of docket sheet mailed to Plaintiff. (kpe) (Entered: 01/06/2021)
10/01/2020	<u>14</u>	Case Reassignment of Paired Magistrate Judge pursuant to pro se magistrate repairing to Magistrate Judge Patrick M. Hunt. Magistrate Judge Lisette M. Reid no longer assigned to case. (jmd) (Entered: 10/01/2020)
09/11/2020	<u>13</u>	Clerks Notice of Receipt of Partial Filing Fee received on 9/11/2020 in the amount of \$ 3.00, receipt number FLS100215190 (asz) (Entered: 09/11/2020)
08/11/2020	<u>12</u>	Clerks Notice of Receipt of Partial Filing Fee received on 8/11/2020 in the amount of \$ 9.00, receipt number FLS100213218 (asz) (Entered: 08/11/2020)

07/10/2020	<u>11</u>	Clerks Notice of Receipt of Partial Filing Fee received on 7/10/2020 in the amount of \$ 4.00, receipt number FLS100211225. (jcs) (Entered: 07/10/2020)
06/15/2020	<u>10</u>	Clerks Notice of Receipt of Partial Filing Fee received on 6/15/2020 in the amount of \$ 3.00, receipt number FLS100209873 (asz) (Entered: 06/15/2020)
06/11/2020	9	PAPERLESS ORDER denying <u>4</u> Motion for Referral to Volunteer Attorney Program. 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. As of now, the issues in this case do not appear to be unusually complex, and the undersigned has issued a report recommending that the complaint proceed in part, which indicates that plaintiff has adequate ability to present his claims. Signed by Magistrate Judge Lisette M. Reid on 6/11/2020. (js05) (Entered: 06/11/2020)
06/04/2020	<u>8</u>	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>1</u> Complaint 42 USC 1983 or Bivens, filed by Jamie Knowles; Recommending that plaintiff's complaint be allowed to proceed in part and dismissed in part: Plaintiff should be allowed to proceed on his individual-capacity excessive force claim against Sgt. Barnett, Sgt. Joseph, Lt. Masso, and Officer McCloud. Plaintiff's individual-capacity excessive force claim against the unknown officers should be dismissed without prejudice. Plaintiff's individual-capacity medical deliberate claim should be dismissed with prejudice as to all remaining defendants/parties. Plaintiff's due process claims should be dismissed with prejudice. Plaintiff's official-capacity claims should be dismissed with prejudice. The following named defendants should be terminated as parties: (1) Mark Inch; (2) FDOC; (3) Warden Colon; (4) Centerion Health Services; and (5) Sgt. Rodriguez. Objections to R&R due by 6/18/2020. Signed by Magistrate Judge Lisette M. Reid on 6/4/2020. <i>See attached document for full details.</i> (br) (Entered: 06/04/2020)
03/30/2020	<u>7</u>	ORDER granting <u>3</u> Motion for Leave to Proceed in forma pauperis 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. Plaintiff to Proceed without Prepayment of Filing Fee but Establishing Debt to Clerk of \$350.00. USM Service NOT Ordered. Signed by Magistrate Judge Lisette M. Reid on 3/30/2020. <i>See attached document for full details.</i> (br) (Entered: 03/30/2020)

03/30/2020	<u>6</u>	ORDER OF INSTRUCTIONS TO PRO SE CIVIL RIGHTS LITIGANTS. Signed by Magistrate Judge Lisette M. Reid on 3/30/2020. <i>See attached document for full details.</i> (br) (Entered: 03/30/2020)
03/23/2020	<u>5</u>	NOTICE of Change of Address by Jamie Knowles (Address Updated in CM/ECF). (drz) Modified on 3/24/2020 (drz). (Entered: 03/24/2020)
03/23/2020	<u>4</u>	MOTION for Referral to Volunteer Attorney Program by Jamie Knowles. (drz) (Entered: 03/24/2020)
03/23/2020	<u>3</u>	MOTION for Leave to Proceed in forma pauperis by Jamie Knowles. (drz) (Entered: 03/24/2020)
03/23/2020	<u>2</u>	Clerks Notice of Judge Assignment to Chief Judge K. Michael Moore and Magistrate Judge Lisette M. Reid. Pursuant to Administrative Order 2019-2, 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. (drz) (Entered: 03/24/2020)
03/23/2020	<u>1</u>	Complaint pursuant to 42 USC 1983 against Centerion Health Services, Correctional Officer McCloud, Florida Department of Corrections, Mark Inch, LT. Masso, Sergeant Barnett, Gang Sergeant Rodriguez, Sergeant Joseph, Warden Colon. Filing fee \$ 400.00. IFP Filed, filed by Jamie Knowles. (Attachments: # <u>1</u> Exhibit)(drz) Modified on 3/24/2020 (drz). (Entered: 03/24/2020)