### CLOSED, JG, MEDIATION, REF\_SETTLEMENT, STAYED

# U.S. District Court Southern District of Florida (Miami) CIVIL DOCKET FOR CASE #: 1:20-cv-23669-JEM

| Evans v. Frezin, Jr.   |
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| Assigned to: Judge Jose E. Martinez                            |
| Referred to: Magistrate Judge Jonathan Goodman (Settlement)    |
| Case in other court: Eleventh Judicial Circuit, 19-29123-CA-01 |
| Cause: 28:1443cv Notice of Removal - Civil Rights Cases        |

#### <u>Plaintiff</u>

### Jimmie Evans

## Date Filed: 09/02/2020 Date Terminated: 12/15/2021 Jury Demand: Defendant Nature of Suit: 550 Prisoner: Civil Rights Jurisdiction: Federal Question

#### represented by Jimmie Evans

180138414 Turner Guilford Knight Correctional Center 7000 NW 41st Street Miami, FL 33166 PRO SE

#### V.

# <u>Defendant</u>

Jean Frezin, Jr.

#### represented by Zachary Edward Vosseler

Miami-Dade County Attorney's Office 111 N.W. 1st Street, Suite 2810 Miami, FL 33128 (305) 375-5151 Email: zach@miamidade.gov *ATTORNEY TO BE NOTICED* 

### **Defendant**

Ariel Louis

# represented by Zachary Edward Vosseler

(See above for address) LEAD ATTORNEY ATTORNEY TO BE NOTICED

| Date Filed | #          | Docket Text  |
|------------|------------|--|
| 06/14/2024 | <u>119</u> | ORDER Referring Case to Volunteer Attorney Program, denying as moot <u>108</u><br>Motion for Referral to Volunteer Attorney Program; granting <u>114</u> Motion for<br>Referral to Volunteer Attorney Program. Signed by Judge Jose E. Martinez on<br>6/14/2024. <i>See attached document for full details</i> . (cqs) (Entered: 06/14/2024) |
| 06/05/2024 | <u>118</u> | Writ of Habeas Corpus ad Testificandum Issued as to Jimmie Evans. Evidentiary<br>Hearing set for 8/14/2024 at 02:00 PM in the Miami Division before Magistrate<br>Judge Jonathan Goodman. (fbn) (Entered: 06/06/2024)  |

| 06/05/2024 | 117        | PAPERLESS ORDER regarding <u>110</u> ORDER REFERRING CASE for Settlemen<br>Conference. Plaintiff is <i>pro se</i> and currently being detained at Turner Guilford<br>Knight Correctional Center ("TGK"). Defense counsel will contact the appropriate<br>officials at TGK to confirm arrangements with TGK for a Zoom settlement<br>conference and obtain four (4) dates for the settlement conference. Per Judge<br>Martinez's Order, the settlement conference must take place by no later than<br>October 11, 2024.   |
|------------|------------|--|
|            |            | By no later than Monday, June 24, 2024, defense counsel will file a notice on CM/ECF: (1) listing the four (4) proposed dates for the Zoom settlement conference and (2) confirming that he has made the necessary arrangements with TGK for the Zoom settlement conference. Signed by Magistrate Judge Jonathan Goodman on 6/5/2024. (mkr) (Entered: 06/05/2024)  |
| 06/05/2024 | <u>116</u> | ORDER SETTING IN-PERSON EVIDENTIARY HEARING. An in-person<br>evidentiary hearing on <u>66</u> Plaintiff's MOTION for Service to Enter an Order Issue<br>of Subpoena will take place on 8/14/2024 at 2:00 PM in Miami Division before<br>Magistrate Judge Jonathan Goodman, James Lawrence King Federal Justice<br>Building, 99 Northeast Fourth Street, Miami, Florida, 11th Floor, Courtroom 3.<br>Defendants will arrange to bring a competent witness (or witnesses) to the in-<br>person evidentiary hearing, to explain whether video surveillance cameras were in<br>place at the time of the alleged incidents for all the specific areas at issue in all<br>scenarios raised by Plaintiff's <u>66</u> motion. Signed by Magistrate Judge Jonathan<br>Goodman on 6/5/2024. <i>See attached document for full details</i> . (mkr) (Entered:<br>06/05/2024) |
| 06/05/2024 | <u>115</u> | NOTICE To The Court's by Jimmie Evans. (scn) (Entered: 06/05/2024)   |
| 06/05/2024 | <u>114</u> | MOTION for Referral to Volunteer Attorney Program by Jimmie Evans. (scn) (Entered: 06/05/2024)   |
| 06/05/2024 | <u>113</u> | ORDER OF RECUSAL AND ORDER OF REASSIGNMENT. Magistrate Judge<br>Eduardo I. Sanchez recused. Case reassigned to Magistrate Judge Jonathan<br>Goodman for all further proceedings. Signed by Magistrate Judge Eduardo I.<br>Sanchez on 6/4/2024. <i>See attached document for full details</i> . (vjk) (Entered:<br>06/05/2024)  |
| 06/03/2024 | <u>112</u> | ORDER denying <u>99</u> Motion for Return of Property. Signed by Judge Jose E.<br>Martinez on 6/3/2024. <i>See attached document for full details</i> . (1s) (Entered: 06/04/2024)   |
| 05/15/2024 |            | Magistrate Judge Eduardo I. Sanchez added for Settlement and motion referral D<br>66 per DE 110 Order. Ch. Magistrate Judge Edwin G. Torres no longer assigned t<br>case due to a clerical error. (mf) (Entered: 05/15/2024)   |
| 05/14/2024 | <u>111</u> | ORDER RE-SETTING TRIAL DATE AND REMAINING PRETRIAL<br>DEADLINES Jury Trial set for 12/16/2024 09:30 AM in Miami Division before<br>Judge Jose E. Martinez. Calendar Call set for 12/12/2024 01:30 PM in Miami<br>Division before Judge Jose E. Martinez. Signed by Judge Jose E. Martinez on<br>5/14/2024. See attached document for full details. (cqs)   |
|            |            | Pattern Jury Instruction Builder - To access the latest, up to date changes to th<br>11th Circuit Pattern Jury Instructions go to https://pji.ca11.uscourts.gov or click   |

|            |            | <u>here.</u> (Entered: 05/15/2024)   |
|------------|------------|--|
| 05/14/2024 | <u>110</u> | ORDER REFERRING CASE to Ch. Magistrate Judge Eduardo Sanchez for<br>Settlement Conference and Referring <u>66</u> Motion. Signed by Judge Jose E.<br>Martinez on 5/13/2024. <i>See attached document for full details</i> . (cqs) Corrected<br>Judge on case for referral on 5/15/2024 (mf). (Entered: 05/15/2024) |
| 05/13/2024 | <u>109</u> | ORDER denying <u>101</u> Motion to Appoint Counsel ; denying as moot <u>105</u> Motion for Extension of Time. Signed by Judge Jose E. Martinez on 5/13/2024. <i>See attached document for full details.</i> (cqs) (Entered: 05/15/2024)  |
| 05/13/2024 | <u>108</u> | MOTION for Referral to Volunteer Attorney Program by Jimmie Evans. (cqs) (Entered: 05/13/2024)   |
| 05/03/2024 | <u>107</u> | STATUS REPORT by Jean Frezin, Jr, Ariel Louis (Vosseler, Zachary) (Entered: 05/03/2024)  |
| 04/30/2024 | <u>106</u> | STATUS REPORT by Jimmie Evans (cqs) (Entered: 04/30/2024)  |
| 04/30/2024 | <u>105</u> | MOTION for Extension of Time For Deadlines by Jimmie Evans. Responses due by 5/14/2024. (cqs) (Entered: 04/30/2024)  |
| 04/18/2024 | <u>104</u> | STATUS REPORT ORDER Status Report due by 5/2/2024. Signed by Judge Jose E. Martinez on 4/18/2024. <i>See attached document for full details</i> . (cqs) (Entered: 04/19/2024)  |
| 04/17/2024 |            | Magistrate Judge Jacqueline Becerra-MJ no longer assigned to case. (mf) (Entered: 04/17/2024)  |
| 03/19/2024 | <u>103</u> | NOTICE of Change of Address, by Jimmie Evans (Address updated) (cqs) (Entered: 03/19/2024)   |
| 03/19/2024 | <u>102</u> | NOTICE of Inquiry RE: How to Proceed by Jimmie Evans (cqs) (Entered: 03/19/2024)   |
| 03/19/2024 | <u>101</u> | MOTION to Appoint Counsel by Jimmie Evens. Responses due by 4/2/2024. (cqs)Party Modified on 3/19/2024 (cqs). (Entered: 03/19/2024)  |
| 02/29/2024 | <u>100</u> | ORDER denying <u>85</u> Motion for Summary Judgment. Signed by Judge Jose E. Martinez on 2/28/2024. <i>See attached document for full details</i> . (cqs) (Entered: 02/29/2024)  |
| 01/31/2024 | <u>99</u>  | MOTION for an Order for Return of Personal Property, as well as Legal Work and all Related Documents by Jimmie Evans. (jas) (Entered: 02/13/2024)  |
| 11/21/2023 | <u>98</u>  | NOTICE of Inquiry by Jimmie Evans. (Copy of Docket Sheet Mailed) (Address Updated) (nwn) (Entered: 11/21/2023)   |
| 10/21/2022 | 97         | PAPERLESS ORDER CANCELLING HEARING. The hearing set for Thursday,<br>October 27, 2022, ECF No. 96, is hereby CANCELLED, as the matter is stayed.<br><i>See</i> ECF No. <u>92</u> . Signed by Magistrate Judge Jacqueline Becerra on 10/21/2022.<br>(cor) (Entered: 10/21/2022)                                     |

| 10/20/2022 | 96        | PAPERLESS ORDER SETTING HEARING. A hearing on Plaintiff's Motion for<br>Service to Enter an Order of Issue of Subpoenas, ECF No. <u>66</u> , is hereby set for<br><b>Thursday, October 27, 2022 at 10:00 a.m.</b> before Judge Becerra in Courtroom<br>10-06, 99 N.E. 4th Street, Miami, Florida, 33132. Signed by Magistrate Judge<br>Jacqueline Becerra on 10/20/2022. (cor) (Entered: 10/20/2022) |
|------------|-----------|--|
| 02/07/2022 | <u>95</u> | REPLY to Response to Motion re <u>85</u> MOTION for Summary Judgment filed by Jean Frezin, Jr, Ariel Louis. (Vosseler, Zachary) (Entered: 02/07/2022)  |
| 01/31/2022 | <u>94</u> | RESPONSE to Motion re <u>85</u> MOTION for Summary Judgment filed by Jimmie Evans. Replies due by 2/7/2022. (cds) (Entered: 01/31/2022)  |
| 01/03/2022 | 93        | PAPERLESS ORDER TO SHOW CAUSE. The Court ordered Plaintiff to file a response to <u>85</u> Defendants' Motion for Summary Judgment and a statement of material facts. ( <i>See</i> ECF No. <u>87</u> ). The deadline to do so has passed and Plaintiff only filed a statement of material facts, without a response to the motion for summary judgment.  |
|            |           | No later than January 18, 2022 Defendant shall SHOW CAUSE why the Motion for Summary Judgment should not be granted by default pursuant to the Local Rules, or, in the alternative, shall file his response in opposition to the motion.   |
|            |           | Signed by Judge Jose E. Martinez on 1/3/2022. (cvl) (Entered: 01/03/2022)  |
| 12/15/2021 |           | This case is STAYED pending the resolution of Defendants Motion for Summary Judgment, (ECF No. 85). Administratively Closing Case. PER DE# <u>92</u> (cds) (Entered: 12/16/2021)   |
| 12/15/2021 | <u>92</u> | ORDER Granting <u>91</u> EXPEDITED MOTION FOR RECONSIDERATION.<br>Signed by Judge Jose E. Martinez on 12/15/2021. <i>See attached document for full details</i> . (cds) (Entered: 12/16/2021)  |
| 12/13/2021 | <u>91</u> | EXPEDITED MOTION for Reconsideration re <u>90</u> Order on Motion to Stay by Jean Frezin, Jr, Ariel Louis. (Vosseler, Zachary) (Entered: 12/13/2021)   |
| 12/10/2021 | <u>90</u> | ORDER DENYING DEFENDANT'S MOTION TO STAY CASE PENDING<br>RULING ON MOTION FOR SUMMARY JUDGMENT denying <u>86</u> Motion to<br>Stay. Signed by Judge Jose E. Martinez on 12/10/2021. <i>See attached document for</i><br><i>full details</i> . (pcs) (Entered: 12/13/2021)  |
| 11/22/2021 | <u>89</u> | Statement of Undisputed Facts in Support of Response to <u>85</u> MOTION for<br>Summary Judgment by Jimmie Evans. (cqs) (Entered: 11/22/2021)  |
| 11/09/2021 | <u>88</u> | NOTICE OF CONVENTIONAL FILING (USB Drive) by Jean Frezin, Jr, Ariel<br>Louis (Attachments: # <u>1</u> Appendix) (cds) (Entered: 11/09/2021)  |
| 11/09/2021 | <u>87</u> | ORDER DIRECTING PLAINTIFF TO RESPOND TO MOTION FOR<br>SUMMARY JUDGMENT. re <u>85</u> MOTION for Summary Judgment filed by Jean<br>Frezin, Jr., Ariel Louis (Responses due by 12/15/2021). Signed by Judge Jose E.<br>Martinez on 11/9/2021. <i>See attached document for full details</i> . (cds) (Entered:<br>11/09/2021)   |
| 11/08/2021 | <u>86</u> | MOTION to Stay <i>Case Pending Ruling on</i> <u>85</u> <i>Motion for Summary Judgment</i> by Jean Frezin, Jr, Ariel Louis. Responses due by 11/22/2021 (Vosseler, Zachary) (Entered: 11/08/2021)   |

| 11/08/2021 | <u>85</u> | MOTION for Summary Judgment by Jean Frezin, Jr, Ariel Louis. Responses due by 11/22/2021 (Vosseler, Zachary) (Entered: 11/08/2021)   |
|------------|-----------|--|
| 11/08/2021 | 84        | Statement of: Undisputed Material Facts by Jean Frezin, Jr, Ariel Louis<br>(Attachments: # 1 Index of Exhibits, # 2 Jimmie Evans Inmate Profile System Cell<br>History, # 3 Judgment & Sentence, No. F-11-16168, # 4 Inmate Population<br>Information Detail, # 5 Docket Sheet, No. F-18-12119, # 6 Medical Records<br>(composite), # 7 Deposition of Jimmie Evans, Aug. 19, 2021, # 8 Declaration of<br>Attalia Bonilla, # 9 Declaration of Ryan Salazar-Szep, # 10 Declaration of Jean<br>Frezin, Jr., # 11 Declaration of Conrad Greaves, # 12 Declaration of Ariel Louis, #<br>13 Declaration of Denise Holmes, # 14 Declaration of Frank Kemp, # 15<br>Declaration of Demoira Prudent, # 16 Incident Report No. P18-4596A, # 17<br>Memorandum to File, Case No. IA-18-563, # 18 Incident Report No. P18-4596C,<br># 19 Incident Report No. P18-4596F, # 20 Incident Report No. P18-4596O, # 21<br>Clinic Photos, # 22 Declaration of Jerry Olivares, # 23 Declaration of Melissa<br>Nicole Sirleaf, # 24 Report of Laurence M. Dubensky, M.D., # 25 Declaration of<br>Dave Austin, # 26 Physical Sight Check Sheet, # 27 Offense-Incident Report, # 28<br>Docket Sheet, No. F-18-16046, # 29 Amended Complaint, Evans v. Thompkins, #<br>30 Complaint, Evans v. Racine, # 31 2d Amended Complaint, Evans v.<br>Livingston, # 32 Complaint, Evans v. Miami-Dade County, # 33 Amended<br>Complaint, Evans v. Junior)(Vosseler, Zachary) (Entered: 11/08/2021) |
| 11/04/2021 | 83        | PAPERLESS ORDER granting <u>80</u> Defendants' Expedited Motion to<br>Conventionally File USB Drive Containing Electronic Data. Defendants may file<br>the USB drive conventionally with the Clerk's Office within two (2) business days<br>of filing their motion for summary judgment. Counsel is also directed to provide a<br>copy of this USB drive to the undersigned's chambers within two (2) business<br>days of the filing. Signed by Judge Jose E. Martinez on 11/4/2021. (cvl) (Entered:<br>11/04/2021)  |
| 11/03/2021 | 82        | Clerks Notice to Filer re <u>80</u> Amended EXPEDITED MOTION to Conventionally<br>File USB Drive Containing Electronic Media <i>and Notice of Withdrawal of <u>78</u></i><br><i>Motion.</i> <b>Two or More Document Events Filed as One</b> ; ERROR - Only one event<br>was selected by the Filer but more than one event was applicable to the document<br>filed. The docket entry was corrected by the Clerk. It is not necessary to refile this<br>document but in the future, the Filer must select all applicable events. (cds)<br>(Entered: 11/03/2021)  |
| 11/03/2021 | 81        | NOTICE OF WITHDRAWAL OF MOTION by Jean Frezin, Jr, Ariel Louis re 78<br>Expedited Motion filed by Jean Frezin, Jr., Ariel Louis. (For Image See DE# 80)<br>(cds) (Entered: 11/03/2021)   |
| 11/03/2021 | <u>80</u> | Amended EXPEDITED MOTION to Conventionally File USB Drive Containing<br>Electronic Media <i>and Notice of Withdrawal of <u>78</u> Motion</i> by Jean Frezin, Jr, Ariel<br>Louis. (Attachments: # <u>1</u> Text of Proposed Order)(Vosseler, Zachary) (Entered:<br>11/03/2021)  |
| 11/02/2021 | 79        | Clerks Notice to Filer re <u>78</u> Miscellaneous Relief. <b>Wrong Motion Relief(s)</b><br><b>Selected</b> ; ERROR - The Filer selected the wrong motion relief(s) when docketing<br>the motion. The correction was made by the Clerk. It is not necessary to refile this<br>document but future motions filed must include applicable reliefs. (cds) (Entered:<br>11/02/2021)   |

| 11/02/2021 | -        | <u>78</u> | EXPEDITED MOTION to Conventionally File USB Drive Containing<br>Surveillance Footage ( <i>EXPEDITED</i> ) by Jean Frezin, Jr, Ariel Louis. (Vosseler,<br>Zachary) Modified Text/Relief on 11/2/2021 (cds). (Entered: 11/02/2021)   |
|------------|----------|-----------|--|
| 10/15/2021 | -        | 77        | NOTICE to the Court by Jimmie Evans (cds) (Entered: 10/15/2021)  |
| 10/14/2021 | -        | <u>76</u> | Clerk's Appointment of Mediator: Jack L. Townsend, Sr added (pt) (Entered: 10/14/2021)   |
| 10/14/2021 | -        | 75        | Request for Clerk to Appoint Mediator(Vosseler, Zachary) (Entered: 10/14/2021)   |
| 09/24/2021 | -        | <u>74</u> | NOTICE to the Court and Objection to Petition for Civil Restitution Lien Order by Jimmie Evans (cds) (Entered: 09/24/2021)   |
| 07/30/2021 | -        | 73        | NOTICE to the Court by Jimmie Evans (cds) (Entered: 07/30/2021)  |
| 07/27/2021 | -        | <u>72</u> | ORDER granting Defendants' Motion for Leave to Take Plaintiff's Deposition,<br>ECF No. <u>60</u> . Signed by Magistrate Judge Jacqueline Becerra on 7/27/2021. <i>See</i><br><i>attached document for full details</i> . (nco) (Entered: 07/27/2021)   |
| 07/20/2021 | -        | <u>71</u> | NOTICE of Non-Election for final disposition of motions by Jimmie Evans (lbc) (Entered: 07/20/2021)  |
| 07/20/2021 | -        | <u>70</u> | NOTICE of scheduling conference report by Jimmie Evans (lbc) (Entered: 07/20/2021)   |
| 07/19/2021 | (        | 69        | ORDER REFERRING CASE to Volunteer Attorney Program. (For Image See DE# <u>67</u> ) Signed by Judge Jose E. Martinez on 7/19/2021. (cds) Modified Text on 7/19/2021 (cds). Modified text on 7/19/2021 (asl). (Entered: 07/19/2021)  |
| 07/19/2021 | <u>(</u> | <u>68</u> | ORDER REVISING PRETRIAL DEADLINES. Granting <u>62</u> Motion for<br>Extension of Time. Signed by Judge Jose E. Martinez on 7/19/2021. <i>See attached</i><br><i>document for full details</i> . (cds) (Entered: 07/19/2021)  |
| 07/19/2021 | <u>(</u> | <u>67</u> | ORDER Denying <u>58</u> Motion to Appoint Counsel. This case is REFERRED for listing on the Courts website of available pro bono cases seeking volunteer lawyers. Signed by Judge Jose E. Martinez on 7/19/2021. <i>See attached document for full details.</i> (cds) (Entered: 07/19/2021)  |
| 07/15/2021 | -1 (     | <u>66</u> | MOTION for Service to Enter an Order Issue of Subpoena's by Jimmie Evans.<br>(cds) (Entered: 07/15/2021)   |
| 07/12/2021 | (        | <u>65</u> | NOTICE by Jimmie Evans (cqs) (Entered: 07/12/2021)   |
| 07/12/2021 | <u>(</u> | <u>64</u> | NOTICE To The Court by Jimmie Evans (cqs) (Entered: 07/12/2021)  |
| 07/12/2021 |          | <u>63</u> | Witness List by Jimmie Evans (cqs) (Entered: 07/12/2021)   |
| 06/29/2021 | 9        | <u>62</u> | MOTION for Extension of Time to Exchange Expert Witness Summaries and<br>Reports re 55 Scheduling Order,, Order Referring Case to Mediation,, Order<br>Referring Case to Magistrate Judge,, by Jean Frezin, Jr, Ariel Louis. Responses<br>due by 7/13/2021 (Attachments: # 1 Text of Proposed Order)(Vosseler, Zachary)<br>(Entered: 06/29/2021) |
| 06/29/2021 | <u>(</u> | <u>61</u> | Certificate of Other Affiliates/Corporate Disclosure Statement - NONE disclosed<br>by Jean Frezin, Jr, Ariel Louis (Vosseler, Zachary) (Entered: 06/29/2021)   |

| 06/29/2021 | <u>60</u> | MOTION to Take Deposition from Jimmie Evans by Jean Frezin, Jr, Ariel Louis.<br>(Attachments: # <u>1</u> Text of Proposed Order)(Vosseler, Zachary) (Entered: 06/29/2021)  |
|------------|-----------|--|
| 06/29/2021 | <u>59</u> | ANSWER and Affirmative Defenses to Amended Complaint with Jury Demand<br>by Ariel Louis. (Vosseler, Zachary) (Entered: 06/29/2021)   |
| 06/29/2021 | <u>58</u> | MOTION for Appointment of Counsel by Jimmie Evans. Responses due by 7/13/2021 (cds) (Entered: 06/29/2021)  |
| 06/23/2021 | 57        | PAPERLESS ORDER granting <u>56</u> Defendant Ariel Louis's Motion for Extension<br>of Time to Respond to the Final Amended Complaint. Defendant Louis shall<br>respond to the Amended Complaint no later than July 9, 2021. Signed by Judge<br>Jose E. Martinez on 6/23/2021. (cvl) (Entered: 06/23/2021)  |
| 06/23/2021 | <u>56</u> | MOTION for Extension of Time to File Response/Reply/Answer as to <u>9</u> Amended<br>Complaint/Amended Notice of Removal by Ariel Louis. Attorney Zachary<br>Edward Vosseler added to party Ariel Louis(pty:dft). (Attachments: # <u>1</u> Text of<br>Proposed Order)(Vosseler, Zachary) (Entered: 06/23/2021)   |
| 06/11/2021 | <u>55</u> | ORDER SETTING CIVIL TRIAL DATE AND PRETRIAL SCHEDULE,<br>REQUIRING MEDIATION, AND REFERRING CERTAIN MOTIONS TO<br>MAGISTRATE JUDGE: (Jury Trial set for 2/14/2022 09:30 AM in Miami<br>Division before Judge Jose E. Martinez., Calendar Call set for 2/10/2022 01:30<br>PM in Miami Division before Judge Jose E. Martinez.), ORDER REFERRING<br>CASE to Mediation., ORDER REFERRING CASE to Magistrate Judge<br>Jacqueline Becerra for Discovery Matters. Magistrate Judge Jared M. Strauss no<br>longer assigned as presider judge in case. Signed by Judge Jose E. Martinez on<br>6/11/2021. <i>See attached document for full details</i> . (cds) |
|            |           | 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: 06/14/2021)   |
| 06/07/2021 | <u>54</u> | SUMMONS (Affidavit) Returned Executed on 9 Amended Complaint/Amended<br>Notice of Removal with a 21 day response/answer filing deadline pursuant to Fed.<br>R. Civ. P. 12 Ariel Louis served on 6/4/2021, answer due 6/25/2021. (cds)<br>(Entered: 06/07/2021)   |
| 06/02/2021 | 53        | CLERKS NOTICE REASSIGNING CASE pursuant to Administrative Order 2021-52. Case reassigned to Judge Jose E. Martinez for all further proceedings. Judge Ursula Ungaro no longer assigned to case. (jmd) (Entered: 06/02/2021)  |
| 04/28/2021 | <u>52</u> | ORDER Denying <u>51</u> MOTION TO COMPEL DISCOVERY. Signed by Judge Ursula Ungaro on 4/28/2021. <i>See attached document for full details</i> . (cds) (Entered: 04/28/2021)  |
| 04/26/2021 | <u>51</u> | MOTION for an Order Compelling Discovery by Jimmie Evans. Responses due by 5/10/2021 (cds) (Entered: 04/26/2021)   |
| 04/02/2021 | <u>50</u> | ORDER Denying <u>48</u> Motion to Quash. Signed by Judge Ursula Ungaro on 4/2/2021. <i>See attached document for full details</i> . (cds) (Entered: 04/02/2021)  |
| 03/30/2021 | <u>49</u> | OBJECTION'S to <u>46</u> ANSWER and Affirmative Defenses by Jimmie Evans. (cds) (Entered: 03/30/2021)  |

| 03/29/2021 | <u>48</u> | MOTION to Enforce/Quash Deposition or Subpoena by Jimmie Evans. (cds) (Entered: 03/29/2021)   |
|------------|-----------|---|
| 03/16/2021 | <u>47</u> | ORDER Denying as Moot 41 MOTION to Dismiss re <u>15</u> Defendant's MOTION to<br>Dismiss <u>9</u> Amended Complaint/Amended Notice of Removal for Failure to<br>Exhaust Administrative Remedies MOTION to Dismiss for Lack of Jurisdiction <u>9</u><br>Amended Complaint/Amended Notice of Removal. Signed by Judge Ursula<br>Ungaro on 3/16/2021. <i>See attached document for full details</i> . (cds) (Entered:<br>03/16/2021) |
| 03/08/2021 | <u>46</u> | ANSWER and Affirmative Defenses to Amended Complaint with Jury Demand<br>by Jean Frezin, Jr. (Vosseler, Zachary) (Entered: 03/08/2021)  |
| 03/04/2021 | <u>45</u> | Summons Issued as to A. Louis. (daa) (Entered: 03/04/2021)  |
| 02/16/2021 | <u>44</u> | ORDER TO U.S. MARSHAL DIRECTING PERSONAL SERVICE UPON<br>DEFENDANT A. LOUIS. Signed by Judge Ursula Ungaro on 2/16/2021. See<br>attached document for full details. (cds) (Entered: 02/16/2021)   |
| 02/16/2021 | <u>43</u> | ORDER Granting 15 Motion to Dismiss AND SCREENING FINAL AMENDED<br>COMPLAINT. Frezin SHALL file an Answer to the Plaintiffs Amended<br>Complaint (DE 9) within twenty (20) days of the entry of this Order. Signed by<br>Judge Ursula Ungaro on 2/16/2021. <i>See attached document for full details</i> . (cds)<br>(Entered: 02/16/2021)   |
| 02/01/2021 | <u>42</u> | ORDER Denying <u>39</u> Motion to be Permitted to Receive Legal Written Supplies.<br>Signed by Judge Ursula Ungaro on 1/29/2021. <i>See attached document for full details</i> . (cds) (Entered: 02/01/2021)  |
| 01/29/2021 | 41        | MOTION to Dismiss re <u>15</u> Defendant's MOTION to Dismiss <u>9</u> Amended<br>Complaint/Amended Notice of Removal <i>for Failure to Exhaust Administrative</i><br><i>Remedies</i> MOTION to Dismiss for Lack of Jurisdiction <u>9</u> Amended<br>Complaint/Amended Notice of Removal by Jimmie Evans. (For Image See DE#<br><u>40</u> ) Responses due by 2/12/2021 (cds) (Entered: 01/29/2021)                                 |
| 01/29/2021 | <u>40</u> | RESPONSE to <u>31</u> REPLY to Response to Motion re <u>15</u> MOTION to Dismiss <u>9</u><br>Amended Complaint/Amended Notice of Removal by Jimmie Evans. (cds)<br>(Entered: 01/29/2021)  |
| 01/29/2021 | <u>39</u> | MOTION to be Permitted to Receive Legal Written Supplies by Jimmie Evans. (cds) (Entered: 01/29/2021)   |
| 01/26/2021 | <u>38</u> | RESPONSE to <u>31</u> REPLY to Response to Motion re <u>15</u> MOTION to Dismiss <u>9</u><br>Amended Complaint/Amended Notice of Removal by Jimmie Evans. (cds)<br>(Entered: 01/26/2021)  |
| 12/28/2020 | <u>37</u> | NOTICE Of Filing Exhibits by Jimmie Evans re <u>9</u> Amended Complaint/Amended Notice of Removal (cqs) (Entered: 12/28/2020)   |
| 12/03/2020 | <u>36</u> | NOTICE to the Court by Jimmie Evans (cds) (Entered: 12/03/2020)   |
| 12/03/2020 | <u>35</u> | NOTICE of Filing Proposed Order to Show Cause for Preliminary Injunction by Jimmie Evans (cds) (Entered: 12/03/2020)  |
| 12/03/2020 | <u>34</u> | Notice to the Court (Address Previously Updated) by Jimmie Evans (cds) (Entered: 12/03/2020)  |

| 12/03/2020 | <u>33</u> | Declaration signed by: Jimmie Evans by Jimmie Evans (cds) (Entered: 12/03/2020)  |
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| 11/24/2020 | <u>32</u> | Notice to the Court (Address Updated) by Jimmie Evans (cds) (Entered: 11/24/2020)  |
| 11/23/2020 | <u>31</u> | REPLY to Response to Motion re <u>15</u> MOTION to Dismiss <u>9</u> Amended<br>Complaint/Amended Notice of Removal <i>for Failure to Exhaust Administrative</i><br><i>Remedies</i> MOTION to Dismiss for Lack of Jurisdiction <u>9</u> Amended<br>Complaint/Amended Notice of Removal filed by Jean Frezin, Jr. (Vosseler,<br>Zachary) (Entered: 11/23/2020)   |
| 11/23/2020 | <u>30</u> | NOTICE to the Court by Jimmie Evans (Attachments: # <u>1</u> Notice of Lawsuit and Request to Waive Service of Summons) (cds) (Entered: 11/23/2020)  |
| 11/19/2020 | <u>29</u> | ORDER Granting 23 Motion for Leave to Proceed in forma pauperis. Plaintiff to Proceed without Prepayment of Filing Fee but Establishing Debt to Clerk of \$350.00. USM Service NOT Ordered. Signed by Judge Ursula Ungaro on 11/19/2020. See attached document for full details. (cds) (Entered: 11/20/2020)   |
| 11/18/2020 | <u>28</u> | RESPONSE to Motion re <u>15</u> MOTION to Dismiss <u>9</u> Amended<br>Complaint/Amended Notice of Removal <i>for Failure to Exhaust Administrative</i><br><i>Remedies</i> MOTION to Dismiss for Lack of Jurisdiction <u>9</u> Amended<br>Complaint/Amended Notice of Removal filed by Jimmie Evans. Replies due by<br>11/25/2020. (cds) (Entered: 11/18/2020)  |
| 11/18/2020 | <u>27</u> | NOTICE to the Court by Jimmie Evans (cds) (Entered: 11/18/2020)  |
| 11/18/2020 | <u>26</u> | NOTICE of Filing Waiver of Summons by Jimmie Evans (cds) (Entered: 11/18/2020)   |
| 11/18/2020 | <u>25</u> | AFFIDAVIT signed by: Jimmie M. Evans by Jimmie Evans (cds) (Entered: 11/18/2020)   |
| 11/18/2020 | <u>24</u> | NOTICE to the Court by Jimmie Evans (cds) (Entered: 11/18/2020)  |
| 11/17/2020 | <u>23</u> | MOTION for Leave to Proceed in forma pauperis by Jimmie Evans.<br>(Attachments: # 1 Inmate Balance History Report)(cds) (Entered: 11/17/2020)  |
| 11/17/2020 | <u>22</u> | NOTICE to the Court by Jimmie Evans (cds) (Entered: 11/17/2020)  |
| 11/06/2020 | <u>21</u> | ORDER OVERRULING OBJECTIONS re <u>20</u> Response in Opposition to Motion,<br>filed by Jimmie Evans, as to <u>15</u> MOTION to Dismiss <u>9</u> Amended<br>Complaint/Amended Notice of Removal <i>for Failure to Exhaust Administrative</i><br><i>Remedies</i> MOTION to Dismiss for Lack of Jurisdiction <u>9</u> Amended<br>Complaint/Amended Notice of Removal .( Responses due by 12/2/2020) Signed<br>by Judge Ursula Ungaro on 11/5/2020. <i>See attached document for full details</i> .<br>(cds) (Entered: 11/06/2020) |
| 11/04/2020 | <u>20</u> | (OVERRULED PER DE# <u>21</u> ) Response/Objection re <u>15</u> MOTION to Dismiss <u>9</u><br>Amended Complaint/Amended Notice of Removal <i>for Failure to Exhaust</i><br><i>Administrative Remedies</i> MOTION to Dismiss for Lack of Jurisdiction <u>9</u><br>Amended Complaint/Amended Notice of Removal filed by Jimmie Evans. Replies<br>due by 11/12/2020. (cds) Text Modified on 11/6/2020 (cds). (Entered: 11/04/2020)   |

| 10/29/2020 | <u>19</u> | ORDER denying without prejudice <u>14</u> Motion to strike. On or before<br>DECEMBER 2, 2020, Plaintiff shall complete and file the form application to<br>proceed in forma pauperis (attached to this Order), along with an affidavit as<br>required by 28 U.S.C. § 1915(a). Signed by Judge Ursula Ungaro on 10/27/2020.<br><i>See attached document for full details</i> . (Attachments: # <u>1</u> IFP form) (daa)<br>(Entered: 10/29/2020)   |
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| 10/29/2020 | 18        | Clerks Notice of Docket Correction re <u>16</u> ORDER REQUIRING PAYMENT OF<br>FILING FEE OR APPLICATION TO PROCEED IN FORMA PAUPERIS<br>ALONG WITH SUPPORTING FINANCIAL AFFIDAVIT, denying 14 Motion to<br>Strike. <b>Correction</b> Document Stricken per Chambers. The document will be<br>refiled by Chambers. (yar) (Entered: 10/29/2020)   |
| 10/28/2020 | <u>17</u> | ORDER INSTRUCTING PRO SE PLAINTIFF TO RESPOND re <u>15</u> MOTION to<br>Dismiss <u>9</u> Amended Complaint/Amended Notice of Removal <i>for Failure to</i><br><i>Exhaust Administrative Remedies</i> MOTION to Dismiss for Lack of Jurisdiction <u>9</u><br>Amended Complaint/Amended Notice of Removal filed by Jean Frezin, Jr. (<br>Responses due by 12/2/2020) Signed by Judge Ursula Ungaro on 10/28/2020. <i>See</i><br><i>attached document for full details</i> . (cqs) (Entered: 10/29/2020)   |
| 10/28/2020 | <u>16</u> | STRICKEN - ORDER REQUIRING PAYMENT OF FILING FEE OR<br>APPLICATION TO PROCEED IN FORMA PAUPERIS ALONG WITH<br>SUPPORTING FINANCIAL AFFIDAVIT, denying <u>14</u> Motion to Strike. Filing<br>Fee due by 12/2/2020. Signed by Judge Ursula Ungaro on 10/28/2020. <i>See</i><br><i>attached document for full details.</i> (cqs) Modified to reflect stricken per chambers<br>on 10/29/2020 (yar). (Entered: 10/29/2020)   |
| 10/06/2020 | <u>15</u> | MOTION to Dismiss 9 Amended Complaint/Amended Notice of Removal <i>for</i><br><i>Failure to Exhaust Administrative Remedies</i> , MOTION to Dismiss for Lack of<br>Jurisdiction 9 Amended Complaint/Amended Notice of Removal (Responses due<br>by 10/20/2020) by Jean Frezin, Jr. (Attachments: # <u>1</u> Exhibit Cell History, # <u>2</u><br>Exhibit Declaration of Loreta Lorfils)(Vosseler, Zachary) (Entered: 10/06/2020)   |
| 10/06/2020 | <u>14</u> | Notice to the Court/MOTION to Strike <u>12</u> Order,,, (Responses due by 10/20/2020), MOTION to Service Summons on Defendant by Jimmie Evans. (cds) Modified relief on 10/7/2020 (asl). (Entered: 10/06/2020)  |
| 10/01/2020 | 13        | Case Reassignment of Paired Magistrate Judge, pursuant to pro se magistrate repairing, to Magistrate Judge Jared M. Strauss. Magistrate Judge Lisette M. Reid no longer assigned to case. (bla) (Entered: 10/01/2020)   |
| 09/25/2020 | <u>12</u> | ORDER REGARDING SERVICE WHEN PLAINTIFF IS NOT PROCEEDING<br>PRO SE. Since Plaintiff is not proceeding pro se, it is his responsibility to secure<br>service on the unserved Defendant, Officer Louis. Pursuant to Fla. R. Civ. P. 4(m),<br>he is required to serve the Amended Complaint on Officer Louis within ninety<br>days of the filing of the Amended Complaint with this court. Therefore, the time<br>for service of process is due to expire on December 17, 2020. Signed by<br>Magistrate Judge Lisette M. Reid on 9/25/2020. See attached document for full<br>details. (daa) (Entered: 09/25/2020) |
| 09/25/2020 | <u>11</u> | ORDER denying <u>10</u> Motion for Extension of Time. Signed by Magistrate Judge<br>Lisette M. Reid on 9/25/2020. <i>See attached document for full details</i> . (daa)<br>(Entered: 09/25/2020)  |

| 09/25/2020 | <u>10</u> | MOTION for Extension of Time to File Response/Reply/Answer as to <u>9</u> Amended<br>Complaint/Amended Notice of Removal by Jean Frezin, Jr. (Attachments: # <u>1</u> Text<br>of Proposed Order)(Vosseler, Zachary) (Entered: 09/25/2020)   |
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| 09/22/2020 | <u>9</u>  | AMENDED COMPLAINT against Jean Frezin, Jr, Aricl Louis filed in response to<br>Order Granting Motion for Leave, filed by Jimmie Evans.(cds) (Entered:<br>09/22/2020)  |
| 09/22/2020 | <u>8</u>  | NOTICE to the Court re Exhibit's Attachments by Jimmie Evans (cds) (Entered: 09/22/2020)  |
| 09/04/2020 | <u>7</u>  | SUA SPONTE ORDER REQUIRING FINAL, AMENDED COMPLAINT re 1<br>Notice of Removal (State Court Complaint), filed by Jean Frezin, Jr., (Amended<br>Complaint due by 10/5/2020.). Signed by Magistrate Judge Lisette M. Reid on<br>9/4/2020. <i>See attached document for full details</i> . (Attachments: # 1 Complaint for<br>Violation of Civil Rights Form) (daa) (Entered: 09/04/2020)   |
| 09/04/2020 | <u>6</u>  | ORDER granting <u>4</u> Motion for Extension of Time to File to the extent that Frezin need not file a responsive pleading to the Second Amended Complaint at this time as Plaintiff is being required, by separate court order, to file a Final Amended Complaint to cure certain deficiencies identified by the court. Signed by Magistrate Judge Lisette M. Reid on 9/4/2020. <i>See attached document for full details.</i> (br) (Entered: 09/04/2020)                          |
| 09/04/2020 | <u>5</u>  | ORDER OF INSTRUCTIONS TO PRO SE CIVIL RIGHTS LITIGANTS. Signed<br>by Magistrate Judge Lisette M. Reid on 9/4/2020. See attached document for full<br>details. (br) (Entered: 09/04/2020)  |
| 09/03/2020 | <u>4</u>  | Defendant's MOTION for Extension of Time to File Response/Reply/Answer as to<br><u>1</u> Notice of Removal (State Court Complaint), by Jean Frezin, Jr. (Attachments: #<br><u>1</u> Text of Proposed Order)(Vosseler, Zachary) (Entered: 09/03/2020)  |
| 09/02/2020 | 3         | Clerks Notice of Magistrate Judge Assignment to Magistrate Judge Lisette M.<br>Reid. Pursuant to Administrative Order 2019-2 for a ruling on all pre-trial, non-<br>dispositive matters and for a Report and Recommendation on any dispositive<br>matters. (Per Chambers) (cds) (Entered: 09/03/2020)   |
| 09/02/2020 | 2         | Clerks Notice of Judge Assignment to Judge Ursula Ungaro. (cds) (Entered: 09/03/2020)   |
| 09/02/2020 | <u>1</u>  | NOTICE OF REMOVAL (STATE COURT COMPLAINT - Second Amended<br>Civil Rights Complaint) Filing fee \$ 400.00 receipt number AFLSDC-13456000,<br>filed by Jean Frezin. (Attachments: # 1 Summon(s), # 2 Exhibit Second Amended<br>Complaint, # 3 Exhibit Order Dismissing Ariel Louis as Defendant, # 4 Civil<br>Cover Sheet, # 5 Exhibit Other State Court Filings)(Vosseler, Zachary) Text<br>Modified on 9/3/2020 (cds). No Answer/Motion to Dismiss Filed. (Entered:<br>09/02/2020) |