

SMM

**U.S. District Court**  
**Southern District of Florida (Ft Pierce)**  
**CIVIL DOCKET FOR CASE #: 2:21-cv-14030-KMM**

Gabriel v. Blackman et al  
Assigned to: Chief Judge K. Michael Moore  
Referred to: Magistrate Judge Shaniek M. Maynard  
Cause: 42:1983 Civil Rights Act

Date Filed: 01/19/2021  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights:  
Other  
Jurisdiction: Federal Question

**Plaintiff**

**Dawud Canaan Sturrup Gabriel**

represented by **Dawud Canaan Sturrup Gabriel**  
1307 Thurston Avenue  
Sebring, FL 33870  
Email: dawudsmail@yahoo.com  
PRO SE

V.

**Defendant**

**Paul Blackman**  
*Sheriff, Highlands County, Florida*  
*Sheriff's Office*  
*TERMINATED: 02/11/2021*

**Defendant**

**Highlands County, Florida Board of  
County Commissioners**  
*TERMINATED: 02/11/2021*

**Defendant**

**Peace River Center**  
*TERMINATED: 02/11/2021*

**Defendant**

**Drew M. Haley**  
*Undersheriff (Sheriff's Deputy) of*  
*Highlands County Sheriff*

Date Filed	#	Docket Text
02/19/2021	<a href="#">20</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">17</a> Amended Complaint/Amended Notice of Removal with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Dawud Canaan Sturrup Gabriel. Drew M. Haley served on 2/16/2021, answer due 3/9/2021. (jbs) (Entered: 02/22/2021)
02/11/2021	<a href="#">19</a>	Summons Issued as to Drew M. Haley. (jbs) (Entered: 02/11/2021)
02/11/2021	<a href="#">18</a>	NOTICE of Filing Proposed Summons(es) by Dawud Canaan Sturrup Gabriel (jbs) (Entered: 02/11/2021)
02/11/2021	<a href="#">17</a>	AMENDED COMPLAINT against Drew M. Haley, filed by Dawud Canaan Sturrup Gabriel. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(jbs) Modified text on 2/11/2021 (jbs). (Entered: 02/11/2021)
02/10/2021	<a href="#">16</a>	Request for Status on <a href="#">3</a> MOTION for Referral to Volunteer Attorney Program by Dawud Canaan Sturrup Gabriel (jbs) (Entered: 02/10/2021)
02/10/2021	<a href="#">15</a>	ORDER REFERRING CASE to Volunteer Attorney Program Signed by Magistrate Judge Shaniek M. Maynard on 2/10/2021. <i>See attached document for full details.</i> (jbs) (Entered: 02/10/2021)
02/10/2021	<a href="#">14</a>	ORDER ON PLAINTIFF'S MOTION FOR REFERRAL TO VOLUNTEER ATTORNEY PROGRAM (DE 3); Motion DE <a href="#">3</a> is GRANTED. Signed by Magistrate Judge Shaniek M. Maynard on 2/10/2021. <i>See attached document for full details.</i> (jbs) (Entered: 02/10/2021)
02/08/2021	13	PAPERLESS ORDER. THIS CAUSE came before the Court upon Plaintiff's Motion for Leave to File an Amended Complaint and Summons. <a href="#">12</a> . Therein, Plaintiff requests leave to amend the Complaint and Summons to remove certain parties to this action and indicate the correct name of the one named Defendant in this action. Id. Rule 15(a) of the Federal Rules of Civil Procedure provides that "[a] party may amend its pleading once as a matter of course within 21 days after serving it, or if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier." Fed. R. Civ. P. 15(a). Rule 4(a)(2) of the Federal Rules of Civil Procedure provides that "[t]he Court may permit a summons to be amended." Fed. R. Civ. P. 4(a)(2). Here, Plaintiff's Complaint was filed on January 19, 2021, and no summons has been executed as of the date of this Order. Accordingly, Plaintiff may file an amended complaint without leave of the Court. UPON CONSIDERATION of the Motion <a href="#">12</a> , the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that Plaintiff's Motion for Leave to File an Amended Complaint and

		Summons is DENIED AS MOOT. Plaintiff may file and amended complaint separately on the Court's docket and request an amended summons in accordance with the rules cited herein. Signed by Chief Judge K. Michael Moore on 2/8/2021. (hwr) (Entered: 02/08/2021)
02/05/2021	<a href="#">12</a>	MOTION for Leave to File an ameded complaint and summons by Dawud Canaan Sturrup Gabriel. (Attachments: # <a href="#">1</a> Exhibit amended complaint, # <a href="#">2</a> Exhibit summons, # <a href="#">3</a> Exhibit Proposed Order)(lk) (Entered: 02/05/2021)
01/29/2021	<a href="#">11</a>	Summons Issued as to Paul Blackman, Highlands County, Florida Board of County Commissioners, Peace River Center. (jbs) (Entered: 02/01/2021)
01/26/2021	10	CASE REFERRED to Magistrate Judge Shaniek M. Maynard per DE 9 . Motions referred to Judge Shaniek M. Maynard. (vjk) (Entered: 01/27/2021)
01/26/2021	9	PAPERLESS ORDER OF REFERRAL TO MAGISTRATE. PURSUANT to 28 U.S.C. § 636 and the Magistrate Rules of the Local Rules of the Southern District of Florida, the above-captioned cause is hereby referred to United States Magistrate Judge Shaniek M. Maynard to take all necessary and proper action as required by law with respect to pro se Plaintiff's Motion for Referral to Volunteer Attorney Program <a href="#">3</a> . Signed by Chief Judge K. Michael Moore on 1/26/2021. (hwr) (Entered: 01/26/2021)
01/26/2021	8	Clerks Notice to Filer re: Summons(es) cannot be issued. Summons NOT issued for the following reason - Names and Addresses of Defendants not filled out on Summonses. (pcs) (Entered: 01/26/2021)
01/26/2021	<a href="#">7</a>	Clerks Notice of Receipt of Partial Filing Fee received on 1/25/2021 in the amount of \$ 2.00, receipt number FLS900007203 (pcs) (Entered: 01/26/2021)
01/19/2021	6	Clerks Notice to Filer re: Summons(es) cannot be issued. The filing fee has not been paid in full. The filling fee is \$402.00. (mee) (Entered: 01/20/2021)
01/19/2021	<a href="#">5</a>	Clerks Notice of Receipt of Partial Filing Fee received on 1/19/2021 in the amount of \$ 400.00, receipt number FLS900007196 (mee) (Entered: 01/20/2021)
01/19/2021	<a href="#">4</a>	Consent by Pro Se Litigant (Non-Prisoner) Dawud Canaan Sturrup Gabriel to receive Notices of Electronic Filing at email address: dawudsmail@yahoo.com (pcs) (Entered: 01/19/2021)
01/19/2021	<a href="#">3</a>	MOTION for Referral to Volunteer Attorney Program by Dawud Canaan Sturrup Gabriel. (pcs) (Entered: 01/19/2021)
01/19/2021	2	Clerks Notice of Judge Assignment to Chief Judge K. Michael Moore.  Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S.

		<p>Magistrate Judge Shaniek M. Maynard is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent.</p> <p>Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (pcs) (Entered: 01/19/2021)</p>
01/19/2021	<a href="#">1</a>	<p>Complaint pursuant to 42 USC 1983 against Paul Blackman, Highlands County, Florida Board of County Commissioners, Peace River Center. Filing fee \$ 402.00, filed by Dawud Canaan Sturup Gabriel. (Attachments: # <a href="#">1</a> Civil Cover Sheet, # <a href="#">2</a> Summon(s))(pcs) (Entered: 01/19/2021)</p>