

**U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:21-cv-24037-AHS**

Harmon v. Dominguez et al
Assigned to: Judge Raag Singhal
Cause: 42:1983 State Prisoner Civil Rights

Date Filed: 11/17/2021
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Kenyatta Harmon

represented by **Kenyatta Harmon**
F60231
Franklin Correctional Institution
Inmate Mail/Parcels
1760 Highway 67 North
Carrabelle, FL 32322
PRO SE

V.

Defendant

Adriel Dominguez
*Miami Beach Police Officer,
Badge#01160*

represented by **Robert L. Switkes**
Switkes & Zappala, P.A.
407 Lincoln Road
Penthouse SE
Miami Beach, FL 33139
305-534-4757
Fax: 305-538-5504
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bradley Francis Zappala
Switkes & Zappala, P.A.
407 Lincoln Road
Penthouse SE
Miami Beach, FL 33139
305-534-4757
Fax: 305-538-5504

Email: bzappala@switkeslaw.com
ATTORNEY TO BE NOTICED

Defendant

Alfredo Garcia
Miami Beach Police Officer,
Badge#01136

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

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

Defendant

Agustin Rodriguez
Miami Beach Police Officer,
Badge#01141

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

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

Date Filed	#	Docket Text
06/28/2022	42	ORDER REFERRING MATTER TO VOLUNTEER ATTORNEY PROGRAM. Signed by Judge Raag Singhal on 6/28/2022. <i>See d.e. 41 Order for full details.</i> (mee) (Entered: 06/29/2022)
06/28/2022	<u>41</u>	ORDER, denying <u>37</u> Motion to Appoint Counsel ; denying <u>27</u> Motion to Appoint Counsel. Signed by Judge Raag Singhal on 6/28/2022. <i>See attached document for full details.</i> (mee) (Entered: 06/29/2022)
06/28/2022	<u>40</u>	NOTICE of Filing Discovery: Disclosures by Kenyatta Harmon.(mee) (Entered: 06/29/2022)
06/28/2022	39	PAPERLESS ORDER denying WITHOUT PREJUDICE Plaintiff's Motion for Leave to Reply to the Answer <u>29</u> . Plaintiff is not required to file a reply or response to the Defendants' Answer. Signed by Judge Raag Singhal on 6/28/2022. (pls) (Entered: 06/28/2022)
06/07/2022	<u>37</u>	MOTION For Appointment of Counsel by Kenyatta Harmon. Responses due by 6/21/2022 (dj) (Entered: 06/07/2022)
06/06/2022	<u>38</u>	NOTICE to The Court by Kenyatta Harmon (dj) (Entered: 06/07/2022)

06/02/2022	<u>36</u>	NOTICE of Filing Discovery: Interrogatories of Plaintiff, Kennyatta Harmon by Kenyatta Harmon.(mee) (Entered: 06/03/2022)
06/02/2022	<u>35</u>	NOTICE of Filing Discovery: Plaintiff First Response to Request for Production by Kenyatta Harmon. (Attachments: # <u>1</u> Exhibit)(mee) (Entered: 06/03/2022)
05/31/2022	<u>34</u>	PAPERLESS ORDER granting <u>33</u> Motion for Extension of Time. Signed by Judge Raag Singhal on 5/31/2022. (pls) (Entered: 05/31/2022)
05/31/2022	<u>33</u>	MOTION for Extension of Time to File Mandatory Disclosure of Documents and other Materials in Support re <u>28</u> Scheduling Order, by Kenyatta Harmon. Responses due by 6/14/2022 (mee) (Entered: 05/31/2022)
05/27/2022	<u>32</u>	NOTICE of Compliance by Adriel Dominguez, Alfredo Garcia, Agustin Rodriguez re <u>28</u> Scheduling Order, (Switkes, Robert) (Entered: 05/27/2022)
05/24/2022	<u>31</u>	NOTICE of Filing Discovery: Plaintiff's First Set of Interrogatories to Defendants by Kenyatta Harmon.(mee) (Entered: 05/24/2022)
05/17/2022	<u>30</u>	NOTICE of Filing Discovery: Disclosures by Kenyatta Harmon.(mee) (Entered: 05/18/2022)
05/10/2022	<u>29</u>	Motion Requesting Leave to Reply as to <u>25</u> Answer to Complaint, by Kenyatta Harmon. (mee) (Entered: 05/11/2022)
04/27/2022	<u>28</u>	CASE MANAGEMENT AND PRE-TRIAL SCHEDULING ORDER WHEN PLAINTIFF IS PROCEEDING PRO SE: Amended Pleadings due by 6/19/2022. Discovery due by 2/24/2023. Expert Discovery due by 2/24/2023. Fact Discovery due by 2/24/2023. Joinder of Parties due by 6/19/2022. Dispositive Motions due by 3/11/2023. Signed by Judge Raag Singhal on 4/27/2022. <i>See attached document for full details.</i> (mee) (Entered: 04/27/2022)
04/26/2022	<u>27</u>	Motion for Appointment of Counsel by Kenyatta Harmon. Responses due by 5/10/2022 (Attachments: # <u>1</u> Exhibit)(mee) Modified on 4/26/2022 (mee). (Entered: 04/26/2022)
04/25/2022	<u>26</u>	Certificate of Other Affiliates/Corporate Disclosure Statement - NONE disclosed by Adriel Dominguez, Alfredo Garcia, Agustin Rodriguez (Switkes, Robert) (Entered: 04/25/2022)

04/19/2022	<u>25</u>	ANSWER and Affirmative Defenses to Complaint by Adriel Dominguez, Alfredo Garcia, Agustin Rodriguez. Attorney Bradley Francis Zappala added to party Adriel Dominguez(pty:dft), Attorney Bradley Francis Zappala added to party Alfredo Garcia(pty:dft), Attorney Bradley Francis Zappala added to party Agustin Rodriguez(pty:dft). (Zappala, Bradley) (Entered: 04/19/2022)
04/18/2022	<u>24</u>	NOTICE of Attorney Appearance by Robert L. Switkes on behalf of Adriel Dominguez, Alfredo Garcia, Agustin Rodriguez. Attorney Robert L. Switkes added to party Adriel Dominguez(pty:dft), Attorney Robert L. Switkes added to party Alfredo Garcia(pty:dft), Attorney Robert L. Switkes added to party Agustin Rodriguez(pty:dft). (Switkes, Robert) (Entered: 04/18/2022)
04/04/2022	<u>23</u>	SUMMONS (Affidavit) Returned Executed by U.S.Marshalls as to <u>1</u> Complaint 42 USC 1983 or Bivens with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 Adriel Dominguez served on 3/30/2022, response/answer due 4/20/2022. (mee) (Entered: 04/04/2022)
03/31/2022	<u>22</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 by Kenyatta Harmon. Alfredo Garcia served on 3/29/2022, response/answer due 4/19/2022. (jbs) (Entered: 03/31/2022)
03/31/2022	<u>21</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 by Kenyatta Harmon. Agustin Rodriguez served on 3/29/2022, response/answer due 4/19/2022. (jbs) (Entered: 03/31/2022)
03/31/2022	20	PAPERLESS ORDER denying as moot <u>19</u> Motion to Appoint Special Process Server. Summons have already been issued as to the specified Defendants. See DE [16, 17, 18]. Signed by Judge Raag Singhal on 3/31/2022. (pls) (Entered: 03/31/2022)
03/29/2022	<u>19</u>	MOTION Requesting Summons to be Served upon Defendants by Kenyatta Harmon. Responses due by 4/12/2022 (mee) (Additional attachment(s) added on 3/30/2022: # <u>1</u> Exhibit) (mee). (Entered: 03/30/2022)
03/24/2022	<u>18</u>	Summons Issued as to Officer Agustin Rodriguez. (daa) (Entered: 03/24/2022)
03/24/2022	<u>17</u>	Summons Issued as to Officer Alfredo Garcia. (daa) (Entered: 03/24/2022)
03/24/2022	<u>16</u>	Summons Issued as to Officer Adriel Dominguez. (daa) (Entered: 03/24/2022)
03/23/2022	<u>15</u>	ORDER TO U.S. MARSHAL RE SERVICE OF PROCESS REQUIRING PERSONAL SERVICE UPON AN INDIVIDUAL. Signed by Judge Raag

		Singhal on 3/23/2022. <i>See attached document for full details.</i> (daa) (Entered: 03/24/2022)
02/22/2022	<u>14</u>	NOTICE of Filing Redaction Requirements and Privacy Policy by Kenyatta Harmon (Correct Address in system) (ail) (Entered: 02/24/2022)
02/09/2022	<u>13</u>	ORDER SCREENING COMPLAINT PURSUANT TO 28 U.S.C. §§ 1915(e) and 1915A. Signed by Judge Raag Singhal on 2/9/2022. <i>See attached document for full details.</i> (mee) (Entered: 02/09/2022)
01/28/2022	12	Clerks Notice to Filer re: Summons(es) cannot be issued. Pro Se party's return address is not listed. (mee) (Entered: 02/09/2022)
01/28/2022	<u>11</u>	NOTICE of Filing Proposed Summons(es) by Kenyatta Harmon (mee) (Entered: 01/31/2022)
01/06/2022	<u>10</u>	NOTICE of Filing Directions to the Clerk by Kenyatta Harmon (ls) (Entered: 01/07/2022)
12/16/2021	<u>9</u>	Clerks Notice of Receipt of Partial Filing Fee received on 12/13/2021 in the amount of \$ 172.00, receipt number FLS100241968. (vt) (Entered: 12/16/2021)
12/03/2021	<u>8</u>	Certificate of Interested Parties by Kenyatta Harmon identifying Other Affiliate City of Miami Police Department, Other Affiliate City of Miami, Other Affiliate Attorney General State of Florida, Other Affiliate State of Florida, Other Affiliate City of Miami Risk Management, Other Affiliate City of Miami Sheriff's Office, Other Affiliate City of Miami Commission for Kenyatta Harmon (mc) Modified title text on 12/3/2021 (mc). (Entered: 12/03/2021)
11/19/2021	<u>7</u>	ORDER OF INSTRUCTIONS. Signed by Judge Raag Singhal on 11/19/2021. <i>See attached document for full details.</i> (mee) (Entered: 11/19/2021)
11/19/2021	<u>6</u>	ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS, granting <u>3</u> Motion for Leave to Proceed in forma pauperis. Plaintiff to Proceed without Prepayment of Filing Fee but Establishing Debt to Clerk of \$ 350.00. On or before December 16, 2021, Plaintiff shall pay the sum of \$171.85 to the Clerk of Court. USM Service NOT Ordered. Signed by Judge Raag Singhal on 11/19/2021. <i>See attached document for full details.</i> (mee) (Entered: 11/19/2021)
11/18/2021	5	<u>PAPERLESS ORDER TO FILE CERTIFICATE OF INTERESTED PERSONS</u> Within SEVEN (7) DAYS of entry of an appearance, each party, including governmental parties, must file certificates of interested parties and corporate disclosure statements that contain a complete list of persons, associated persons, firms, partnerships, or corporations that have a financial interest in the outcome of this case, including subsidiaries, conglomerates,

		<p>affiliates, parent corporations, and other identifiable legal entities related to a party. The parties shall not include Judge Singhal or the paired magistrate judges as interested parties unless they have an interest in the litigation. Throughout the pendency of the action, the parties are under a continuing obligation to amend, correct, and update the certificates. Signed by Judge Raag Singhal on 11/18/2021. (jhy) (Entered: 11/18/2021)</p>
11/18/2021	4	<p><u>NOTICE OF COURT PRACTICE</u></p> <p>Unless otherwise specified by the Court, every motion, legal memorandum, brief, and otherwise shall: be double-spaced, in justified alignment, in 12-point font, using either Times New Roman or Arial typeface. This Notice does not supplant the requirements and provisions of Local Rule 7.1(c). The Court cautions parties against excessive use of footnotes.</p> <p>Multiple Plaintiffs or Defendants shall file joint motions with co-parties unless there are clear conflicts of position. If conflicts of position exist, parties shall explain the conflicts in their separate motions.</p> <p>Parties are encouraged to seek extensions of time in a timely fashion. "A motion for extension of time is not self-executing; no motion is, unless expressly provided for by the applicable rule. Yet, by filing these motions on or near the last day, and then sitting idle pending the Court's disposition of the motion, parties essentially grant their own motion. The Court will not condone this." <i>Compere v. Nusret Miami, LLC</i>, 2020 WL 2844888, at *2 (S.D. Fla. May 7, 2020) (internal citations omitted).</p> <p>Local Rule 16.4, Local Rules for the United States District Court for the Southern District of Florida, requires that a Notice of Settlement "shall be filed and served jointly by counsel for all parties to the settlement." A unilateral notice of settlement will not stay pre-trial deadlines or hearings.</p> <p>Failure to comply with any of these procedures may result in the imposition of appropriate sanctions.</p> <p>Signed by Judge Raag Singhal on 11/18/2021. (jhy) (Entered: 11/18/2021)</p>
11/17/2021	<u>3</u>	<p>MOTION for Leave to Proceed in forma pauperis by Kenyatta Harmon. (daa) (Entered: 11/17/2021)</p>
11/17/2021	2	<p>Judge Assignment to Judge Raag Singhal (daa) (Entered: 11/17/2021)</p>
11/17/2021	<u>1</u>	<p>Complaint pursuant to 42 USC 1983 against Adriel Dominguez, Alfredo Garcia, Agustin Rodriguez. Filing fee \$ 402.00. IFP Filed, filed by Kenyatta Harmon.(daa) (Entered: 11/17/2021)</p>