

**U.S. District Court
Southern District of Florida (West Palm Beach)
CIVIL DOCKET FOR CASE #: 9:23-cv-80840-RLR**

Batista et al v. Palm Beach County Sheriffs Office et al
Assigned to: Judge Robin L. Rosenberg
Referred to: Magistrate Judge Bruce E. Reinhart
Cause: 42:1983 Civil Rights Act

Date Filed: 05/30/2023
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Adonis Batista
also known as
A1

represented by **Adonis Batista**
24367-510
Coleman I-USP
United States Penitentiary
Inmate Mail/Parcels
Post Office Box 1033
Coleman, FL 33521
PRO SE

Plaintiff

Adonis Noel Batista

Plaintiff

Quintina Torres

Plaintiff

Magnolia Pereyra

Plaintiff

Melanie Pereyra

Plaintiff

Ray Batista

V.

Defendant

Palm Beach County Sheriffs Office
Warrants Unit

Defendant

State of Florida

Defendant

Agent S. Septien

represented by **Andrew William Jolly**
Purdy, Jolly, Giuffreda & Barranco, P.A.
2455 E. Sunrise Blvd. Suite 1216
Ft. Lauderdale, FL 33304
954-336-8592
Email: andrew@purdylaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Wellington Regional Hospital Staff and Corporation

Defendant

John Doe Doctor

Defendant

John Doe Nurse

Defendant

John Does Officers

Defendant

Deputy Steven Septien

Deputy ID 20750

Defendant

Deputy Eddie Warren

Deputy ID 16039

Defendant

Deputy David Vitola

Deputy ID 6544, in their individual and official capacity

Defendant

City of West Palm Beach

Date Filed	#	Docket Text
12/04/2024	70	PAPERLESS ORDER granting 63 Pro Se Plaintiff's Unopposed Motion for an Extension of Time to respond to Defendant Septien's Request for Production. Plaintiff shall respond and provide responsive documents by 1/21/25. Signed by Magistrate Judge Bruce E. Reinhart on 12/4/2024. (hk02) (Entered: 12/04/2024)
12/04/2024	69	RESPONSE to Motion re 63 MOTION for Extension of Time in Submitting the Defendant Septien's First Request for Production filed by S. Septien. Replies due by 12/11/2024. (Jolly, Andrew) (Entered: 12/04/2024)

12/03/2024	71	SUMMONS (Affidavit) Returned Executed on 44 Amended Complaint/Amended Notice of Removal with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 Steven Septien served on 11/22/2024, response/answer due 12/13/2024; David Vitola served on 11/22/2024, response/answer due 12/13/2024; Eddie Warren served on 11/22/2024, response/answer due 12/13/2024. (pc) (Entered: 12/04/2024)
12/02/2024	68	ORDER RESETTING PRETRIAL DEADLINES Fact Discovery due by 4/10/2025. Expert Discovery due by 4/10/2025. Dispositive Motions due by 6/10/2025. Signed by Judge Robin L. Rosenberg on 12/2/2024. <i>See attached document for full details.</i> (pc) (Entered: 12/02/2024)
12/02/2024	67	PAPERLESS ORDER referring this case to the Southern District of Florida's Volunteer Attorney Program for potential representation of pro se Plaintiff Adonis Batista. Signed by Judge Robin L. Rosenberg (lwt) (Entered: 12/02/2024)
12/02/2024	66	<i>Defendant Septien's</i> ANSWER and Affirmative Defenses to Complaint with Jury Demand to Plaintiff's Amended Complaint (ECF 44) by S. Septien. (Jolly, Andrew) (Entered: 12/02/2024)
11/27/2024		Set Deadlines to 63 MOTION for Extension of Time in Submitting the Defendant Septien's First Request for Production. Defendants to respond to the motion by 12/4/24. Responses due by 12/4/2024. Per DE# 65 . (nan) (Entered: 11/27/2024)
11/27/2024	65	PAPERLESS ORDER taking under advisement 63 Plaintiff's Motion for an Extension of Time and ORDERING Defendants to respond to the motion by 12/4/24. Signed by Magistrate Judge Bruce E. Reinhart on 11/27/2024. (hk02) (Entered: 11/27/2024)
11/26/2024	64	DECLARATION IN RESPONSE to Motion re 48 Defendant's MOTION TO DISMISS 44 Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM filed by Adonis Batista. Replies due by 12/3/2024. (drz) (Entered: 11/26/2024)
11/26/2024	63	MOTION for Extension of Time in Submitting the Defendant Septien's First Request for Production by Adonis Batista. Responses due by 12/10/2024. (drz) (Entered: 11/26/2024)
11/21/2024	62	Summons Issued as to Palm Beach County Sheriff's Office Agents Steven Septien, David Vitola, and Eddie Warren. (kma) (Entered: 11/21/2024)
11/21/2024	61	ORDER GRANTING U.S. MARSHAL SERVICE Signed by Judge Robin L. Rosenberg on 11/20/2024. <i>See attached document for full details.</i> (kma) (Entered: 11/21/2024)
11/20/2024	60	ORDER SCREENING AMENDED COMPLAINT AND DENYING THE DEFENDANT'S MOTION TO DISMISS re 48 Motion to Dismiss for Failure to State a Claim; denying as moot 59 Motion for Extension of Time to File Response/Reply/Answer. Signed by Judge Robin L. Rosenberg on 11/20/2024. <i>See attached document for full details.</i> (pc) (Entered: 11/20/2024)
11/18/2024	59	MOTION for Extension of Time to File Response/Reply/Answer as to 48 Defendant's MOTION TO DISMISS 44 Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM by Adonis Batista. (pc) (Entered: 11/19/2024)

11/18/2024	58	Defendant Septien's First Set of Interrogatories by Adonis Batista (pc) (Entered: 11/19/2024)
11/14/2024	57	PAPERLESS ORDER directing defense counsel to coordinate with Pro Se Plaintiff's correctional facility and email chambers (reinhart@flsd.uscourts.gov) by 12/1/24 with three jointly-proposed dates for a settlement conference in January 2025. Defense counsel shall advise the Court of any/all means by which the prison will allow Plaintiff to appear at the settlement conference, i.e., telephonically, by Teams video or Zoom. Signed by Magistrate Judge Bruce E. Reinhart on 11/14/2024. (hk02) (Entered: 11/14/2024)
11/13/2024	56	PAPERLESS ORDER granting 54 Motion Requesting Settlement Conference and requiring the parties to attend a settlement conference with Magistrate Judge Bruce E. Reinhart on or before January 31, 2025. The parties are directed to contact Judge Reinhart's chambers to schedule a time for the conference. Signed by Judge Robin L. Rosenberg (lwt) (Entered: 11/13/2024)
11/13/2024	55	PAPERLESS ORDER granting 52 Defendants' Motion to Compel Discovery by default. Plaintiff's response to the motion was due on 11/8/24. To date, no response to the motion has been filed. Accordingly, Defendants' motion is GRANTED and Plaintiff is hereby ORDERED to answer to Defendants' First Set of Interrogatories and provide responsive documents to Defendants' First Request for Production by 11/27/24. Signed by Magistrate Judge Bruce E. Reinhart on 11/13/2024. (hk02) (Entered: 11/13/2024)
11/13/2024	54	Unopposed MOTION to be excused from Mediation Requirement and Asking that the Court Schedule a Settlement Conference re 28 Scheduling Order,, Order of Requirements,, Order Referring Case to Mediation, by S. Septien. (Jolly, Andrew) (Entered: 11/13/2024)
11/13/2024	53	Joint NOTICE to the court regarding agreement to extend discovery deadline to January 10, 2025 by S. Septien re 28 Scheduling Order,, Order of Requirements,, Order Referring Case to Mediation, (Jolly, Andrew) (Entered: 11/13/2024)
10/25/2024	52	Defendant's MOTION to Compel Responses to Request for Production and Answers to Interrogatories by S. Septien. Responses due by 11/8/2024. (Attachments: # 1 Exhibit A-Defendant Septien's First Set of Interrogatories to Plaintiff, Adonis Batista, # 2 Exhibit B-Defendant Septien's First Request for Production and Request for Admissions to Plaintiff, Adonis Batista, # 3 Exhibit C-Letter from Plaintiff regarding Interrogatories, # 4 Exhibit D-Letter dated 10/11/2024 to Plaintiff re: Outstanding Discovery)(Jolly, Andrew) (Entered: 10/25/2024)
10/17/2024		Set Deadline as to 48 Defendant's MOTION TO DISMISS 44 Amended Complaint/ Amended Notice of Removal FOR FAILURE TO STATE A CLAIM . Responses due by 11/18/2024. (Per DE 51). (pc) (Entered: 10/17/2024)
10/17/2024	51	PAPERLESS ORDER granting 50 Plaintiff's Motion for Extension to Respond to Defendant's Motion to Dismiss 48 . Plaintiff shall file his response by November 18, 2024. Signed by Judge Robin L. Rosenberg (lwt) (Entered: 10/17/2024)
10/16/2024	50	MOTION for Extension of Time to Respond to Defendant's Motion to Dismiss re 48 Defendant's MOTION TO DISMISS 44 Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM by Adonis Batista. Responses due by 10/30/2024. (pc) (Entered: 10/16/2024)

10/11/2024		Set/Reset Deadlines/Hearings as to 48 Defendant's MOTION TO DISMISS 44 Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM . Responses due by 10/18/2024. Per DE 49 Order. (ebz) (Entered: 10/11/2024)
10/11/2024	49	PAPERLESS ORDER TO SHOW CAUSE. Plaintiffs' response to Defendant's motion to Dismiss 48 was due on October 8, 2024. To date, no response appears in the court file. Accordingly, Plaintiffs shall show cause, in writing, on or before October 18, 2024, why Plaintiffs have not responded. Plaintiffs' failure to respond may result in the Court granting the motion by default pursuant to Local Rule 7.1(c). Signed by Judge Robin L. Rosenberg (lwt) (Entered: 10/11/2024)
09/24/2024	48	Defendant's MOTION TO DISMISS 44 Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM by S. Septien. Responses due by 10/8/2024. (Jolly, Andrew) (Entered: 09/24/2024)
09/18/2024	47	PAPERLESS ORDER granting 45 Defendant's Unopposed Motion to Take the Deposition of Plaintiff Adonis Batista, a person confined in prison, pursuant to Fed. R. Civ. P. 30(a)(2)(B). Signed by Magistrate Judge Bruce E. Reinhart on 9/18/2024. (hk02) (Entered: 09/18/2024)
09/18/2024	46	ORDER OF REFERENCE TO MAGISTRATE JUDGE. ORDER REFERRING CASE to Magistrate Judge Bruce E. Reinhart for appropriate disposition of all pro hac vice motions, motions to substitute counsel, and pretrial motions related to discovery. Signed by Judge Robin L. Rosenberg on 9/18/2024. <i>See attached document for full details.</i> (amb) (Entered: 09/18/2024)
09/17/2024	45	Unopposed MOTION to Take Deposition from Plaintiff, Adonis Batista by S. Septien. (Jolly, Andrew) (Entered: 09/17/2024)
09/09/2024	44	AMENDED COMPLAINT against City of West Palm Beach, John Does Officers, Palm Beach County Sheriffs Office, Steven Septien, David Vitola, Eddie Warren filed in response to Order Granting Motion for Leave, filed by Adonis Batista.(pc) (Entered: 09/10/2024)
08/16/2024		Set/Reset Deadlines/Hearings per DE 43 Order. Amended Complaint due by 9/20/2024. (amb) (Entered: 08/19/2024)
08/16/2024	43	PAPERLESS ORDER granting in part and denying in part 42 Plaintiff's Motion requesting Extension of Time. Plaintiff shall file an Amended Complaint by September 20, 2024, naming and identifying the actions and counts associated with the remaining defendants: Deputy Septien, Deputy Warren, and Deputy Vitola. The Amended Complaint shall not reintroduce defendants or counts previously dismissed. Once Plaintiff files the Amended Complaint, the Court will order service of the Amended Complaint by the U.S. Marshal Service. The Court has now extended the deadline to amend the complaint three times. See Docket Entries 38 & 41 . The Court will not grant any further extensions. If Plaintiff does not file an Amended Complaint by September 20, 2024, this case will proceed with the current Complaint naming only Deputy Septien. Signed by Judge Robin L. Rosenberg (lwt) (Entered: 08/16/2024)
08/14/2024	42	MOTION for Extension of Time to Amend 13 Amended Complaint/Amended Notice of Removal, by Adonis Noel Batista. Responses due by 8/28/2024. (pc) (Entered: 08/15/2024)

08/07/2024		Set/Reset Deadlines/Hearings per DE 41 Order. Amended Complaint due by 9/6/2024. (amb) (Entered: 08/08/2024)
08/07/2024	41	PAPERLESS ORDER granting in part 40 Plaintiff's Motion requesting Extension of Time. Plaintiff shall file an Amended Complaint by September 6, 2024, naming and identifying the actions and counts associated with the remaining defendants: Deputy Septien, Deputy Warren, and Deputy Vitola. The Amended Complaint shall not reintroduce defendants or counts previously dismissed. Once Plaintiff files the Amended Complaint, the Court will order service of the Amended Complaint by the U.S. Marshal Service. If Plaintiff does not file an Amended Complaint by September 6, 2024, this case will proceed with the current Complaint naming only Deputy Septien. Signed by Judge Robin L. Rosenberg (lwt) (Entered: 08/07/2024)
08/06/2024	40	Plaintiff's Motion requesting Extension of Time to Submit Reply, develop the record and Amend Complaint re 13 Amended Complaint/Amended Notice of Removal, (Responses due by 8/20/2024.), by Adonis Batista. (pc) (Entered: 08/06/2024)
08/05/2024		Set/Reset Deadlines/Hearings per DE 38 Order. Amended Complaint due by 8/23/2024. (amb) (Entered: 08/05/2024)
08/05/2024	39	PAPERLESS ORDER DENYING 37 Motion to Dismiss. The Court has reset Plaintiff's amended complaint deadline. Upon either the filing of the amended complaint or upon the deadline to file an amended complaint, Deputy Septien shall respond to the operative complaint. Signed by Judge Robin L. Rosenberg (bkd) (Entered: 08/05/2024)
08/05/2024	38	PAPERLESS ORDER. Plaintiff's Amended Complaint is due by August 23, 2024. Plaintiff shall file an Amended Complaint, naming and identifying the actions and counts associated with the remaining defendants: Deputy Septien, Deputy Warren, and Deputy Vitola. The Amended Complaint shall not reintroduce defendants or counts previously dismissed. Once Plaintiff files the Amended Complaint, the Court will order service of the Amended Complaint by the U.S. Marshal Service. If Plaintiff does not file an Amended Complaint by August 23, 2024, this case will proceed with the current Complaint naming only Deputy Septien. Signed by Judge Robin L. Rosenberg (bkd) (Entered: 08/05/2024)
07/25/2024	37	Defendant's MOTION to Dismiss for Lack of Prosecution 29 Order on Motion to Amend/Correct,, by S. Septien. Responses due by 8/8/2024. (Jolly, Andrew) (Entered: 07/25/2024)
07/15/2024	36	Notice of Inquiry and request for copies of docket sheet and DE 1 by Adonis Batista. (Copy of Docket and Original Complaint mailed to Plaintiff) (pc) (Entered: 07/16/2024)
07/09/2024	35	Defendant's NOTICE of Plaintiff's Non-Compliance by S. Septien re 29 Order on Motion to Amend/Correct,, 31 Order,, (Jolly, Andrew) (Entered: 07/09/2024)
06/26/2024	34	Clerk's Notice of Compliance re 33 Order on Motion to Dismiss/Lack of Jurisdiction, (copies mailed to plaintiff of de 27 - 31). (pc) (Entered: 06/26/2024)
06/26/2024	33	ORDER DENYING MOTION TO DISMISS AND REQUIRING MAILING OF PREVIOUS DOCKET ENTRIES re 30 Motion to Dismiss for Lack of Jurisdiction. The Court notes that its deadlines remain active, including the deadlines for all fact and expert discovery by December 10, 2024 Expert Discovery due by 12/10/2024. Fact Discovery due by 12/10/2024. Signed by Judge Robin L. Rosenberg on

		6/26/2024. <i>See attached document for full details.</i> (pc) (Entered: 06/26/2024)
06/11/2024	32	NOTICE of Change of Address and Inquiry by Adonis Batista (Docket Sheet Mailed). (drz) (Entered: 06/11/2024)
06/03/2024		Set/Reset Deadlines/Hearings per DE 31 Order. Show Cause Response due by 6/10/2024. (amb) (Entered: 06/03/2024)
06/03/2024	31	PAPERLESS ORDER TO SHOW CAUSE. Plaintiff's response to Defendants' Motion to Dismiss was due on May 24, 2024. No response appears in the court file. Accordingly, Plaintiff shall show cause, in writing, why the Motion should not be granted by June 10, 2024. Plaintiff shall also show cause, in writing, why he failed to file a timely response to the Motion. Plaintiff's failure to comply with this Order may result in the Court granting the Motion by default pursuant to Local Rule 7.1(c). Signed by Judge Robin L. Rosenberg (tfn) (Entered: 06/03/2024)
05/10/2024	30	Defendant's MOTION to Dismiss for Lack of Jurisdiction 29 Order on Motion to Amend/Correct,,, 17 Order of Instructions to Pro Se Litigant <i>And Memorandum of Law</i> by S. Septien. Responses due by 5/24/2024. (Jolly, Andrew) (Entered: 05/10/2024)
04/10/2024		Set/Reset Deadlines/Hearings per DE 29 Order. Amended Complaint due by 5/1/2024. (amb) (Entered: 04/11/2024)
04/10/2024	29	PAPERLESS ORDER. While docket entry 26 is a notice by Plaintiff in accordance with the Court's Order at docket entry 23, the Court also construes it as a Motion to amend his Complaint. The Court GRANTS the motion to amend Plaintiff's Complaint. Plaintiff shall file a new version of his Complaint, fully naming and identifying the actions and counts associated with the remaining defendants: Agent Septien, Deputy Warren, and Deputy Vitola. The Amended Complaint shall not reintroduce defendants who or counts which have been dismissed. Once Plaintiff files the Amended Complaint by up to and including May 1, 2024, the Court will grant U.S. Marshal Service of the Amended Complaint. After the other defendants are served, Plaintiff may file motions for leave to amend the complaint, adding new defendants, facts, or counts, if he so chooses. Signed by Judge Robin L. Rosenberg (tfn) (Entered: 04/10/2024)
04/09/2024	28	ORDER SETTING PRETRIAL DEADLINES, ORDER OF REQUIREMENTS, AND ORDER OF REFERENCE TO MEDIATION: (Fact Discovery due by 12/10/2024., Expert Discovery due by 12/10/2024., Dispositive Motions due by 2/10/2025.), Order of Court-Mandated Requirements in, (Mediation Deadline 1/10/2025.) Signed by Judge Robin L. Rosenberg on 4/9/2024. <i>See attached document for full details.</i> (pc) (Entered: 04/09/2024)
04/03/2024	27	RESPONSE in Opposition re 26 MOTION to Amend/Correct 13 Amended Complaint/Amended Notice of Removal, filed by S. Septien. Replies due by 4/10/2024. (Jolly, Andrew) (Entered: 04/03/2024)
03/20/2024	26	MOTION to Amend Complaint re 13 Amended Complaint/Amended Notice of Removal, by Adonis Batista. Responses due by 4/3/2024. (pc) (Entered: 03/20/2024)
02/27/2024	25	NOTICE of Compliance by S. Septien re 23 Order on Motion to Quash,, (Jolly, Andrew) (Entered: 02/27/2024)

02/02/2024	24	CLERK'S NOTICE of Compliance re 23 Order on Motion to Quash. Complete service packet including the Subpoena, Court Order ECF No. 23, ECF No. 13, and ECF No. 14 sent via email and inter-office to agent Chaves USMS Office. (kma) (Entered: 02/02/2024)
02/01/2024	23	ORDER GRANTING MOTION TO QUASH SERVICE ON UNKNOWN OFFICERS 21 AND DIRECTING ISSUANCE OF SUBPOENA TO ASCERTAIN DEFENDANT DOES' IDENTITIES. The Clerk is INSTRUCTED to issue a subpoena pursuant to Fed. R. Civ. P. 45 directed to Palm Beach County Sheriff's Office to provide Plaintiff, on or before March 8, 2024, with the true names of the John/Jane Does identified in Plaintiffs Amended Complaint. Signed by Judge Robin L. Rosenberg on 2/1/2024. <i>See attached document for full details.</i> (kma) (Entered: 02/01/2024)
01/23/2024	22	<i>Defendant's</i> ANSWER and Affirmative Defenses to Amended Complaint [ECF 13] by S. Septien. (Jolly, Andrew) (Entered: 01/23/2024)
01/23/2024	21	MOTION to Quash <i>Service of "Unknown Officers" and Memorandum of Law</i> by S. Septien. (Attachments: # 1 Exhibit A- Affidavit of Melissa Fonger)(Jolly, Andrew) (Entered: 01/23/2024)
01/22/2024	20	NOTICE of Attorney Appearance by Andrew William Jolly on behalf of S. Septien. Attorney Andrew William Jolly added to party S. Septien (pty:dft). (Jolly, Andrew) (Entered: 01/22/2024)
01/08/2024	19	SUMMONS (Affidavit) Returned Executed on 13 Amended Complaint/Amended Notice of Removal, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 John Does Officers served on 1/3/2024, response/answer due 1/24/2024. (nan) (Entered: 01/08/2024)
01/08/2024	18	SUMMONS (Affidavit) Returned Executed on 13 Amended Complaint/Amended Notice of Removal, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 S. Septien served on 1/3/2024, response/answer due 1/24/2024. (nan) (Entered: 01/08/2024)
12/19/2023	17	ORDER OF INSTRUCTIONS TO PRO SE LITIGANT Signed by Judge Robin L. Rosenberg on 12/19/2023. <i>See attached document for full details.</i> (pc) (Entered: 12/19/2023)
12/11/2023	16	Notice to the Court Re: Jury Demand by Adonis Batista. (pc) (Entered: 12/12/2023)
12/07/2023	15	Summons Issued as to John Does Officers, and Agent S. Septiens. (kma) (Entered: 12/07/2023)
12/06/2023	14	ORDER GRANTING U.S. MARSHAL SERVICE. The Clerk of the Court shall prepare the summons and copies of the Amended Complaint, DE 13, and shall direct that the same be served by the U.S. Marshal. Signed by Judge Robin L. Rosenberg on 12/6/2023. <i>See attached document for full details.</i> (kma) (Entered: 12/07/2023)
11/08/2023	13	AMENDED COMPLAINT against John Doe Doctor, John Doe Nurse, John Does Officers, Palm Beach County Sheriffs Office, S. Septien, State of Florida, Wellington Regional Hospital Staff and Corporation filed in response to Order Granting Motion for Leave, filed by Adonis Batista.(amb) (Entered: 11/08/2023)
10/13/2023		Case Reopened (ls)(per DE # 12) (Entered: 10/13/2023)

10/13/2023	12	ORDER Reopening Case, Granting IFP, and Screening Complaint: granting 11 Motion for Leave to Proceed in forma pauperis; USM Service NOT Ordered ; Dismissing 1 Complaint without prejudice; (Amended Complaint due by 11/10/2023.). denying as moot 9 Motion for Extension of Time to File Motion in Forma Pauperis. Signed by Judge Robin L. Rosenberg on 10/13/2023. <i>See attached document for full details.</i> (ls) (Entered: 10/13/2023)
09/25/2023	11	MOTION for Leave to Proceed in forma pauperis by Adonis Batista. (Attachments: # 1 Supplement)(pc) (Entered: 09/26/2023)
09/20/2023		Civil Case Terminated per DE 10 . Closing Case. (amb) (Entered: 09/20/2023)
09/20/2023	10	PAPERLESS ORDER DENYING AS MOOT 9 Motion for Extension of Time and GRANTING Motion to Stay. The Court construes the Plaintiff's Motion for an Extension of Time to File Motion In Forma Pauperis as a Motion to Stay until Plaintiff can obtain his account records from his prison institution, whether by the institution providing the records or at the end of a lawsuit compelling it to produce the records. Upon receipt of his account statements, the Plaintiff may move to lift the stay imposed by this Order and file a motion to proceed in forma pauperis in compliance with 28 U.S.C. § 1915(a). The Clerk of the Court is directed to CLOSE this case for administrative purposes. Signed by Judge Robin L. Rosenberg (tfn) (Entered: 09/20/2023)
09/12/2023	9	MOTION for Extension of Time to file Motion In Forma Pauperis, and assistance in obtaining record of prison bank account re 8 Order, by Adonis Batista. Responses due by 9/26/2023 (pc) (Entered: 09/14/2023)
08/23/2023	8	PAPERLESS ORDER GRANTING 7 Motion for Extension of Time to file motion to proceed in Forma Pauperis. The Court construes 7 Notice as a motion for extension of time to file motion to proceed in Forma Pauperis. The Court grants the motion for extension of time. The Plaintiff shall either pay the filing fee of \$402.00 or file a renewed motion to proceed in Forma Pauperis that complies with 28 U.S.C. § 1915(a) by no later than September 13, 2023. If the Plaintiff chooses to proceed in Forma Pauperis, to comply with the statute, the Plaintiff shall file his motion upon the form AO 240 (Rev. 07/10) Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form), include a certificate concerning his prison bank account completed by an officer of the institution, and include a certified copy of his account for the 6-month period immediately preceding the filing of the complaint. Signed by Judge Robin L. Rosenberg (tfn) (Entered: 08/23/2023)
08/18/2023	7	NOTICE to the Court by Adonis Noel Batista re 5 Order. (pc) (Entered: 08/21/2023)
07/05/2023	6	PAPERLESS ORDER denying without prejudice 3 Motion to Appoint Counsel. The Court denies the Motion at this time because the Plaintiff has not yet paid his filing fee or filed a proper motion to proceed in forma pauperis. The Court will sua sponte consider the Plaintiff's request for appointment of counsel when the Court screens his Complaint. Signed by Judge Robin L. Rosenberg (ccr) (Entered: 07/05/2023)
07/05/2023	5	PAPERLESS ORDER DENYING WITHOUT PREJUDICE 1 Motion to Proceed in Forma Pauperis. The Court construes the filing at docket entry 1-1 as a motion to proceed in forma pauperis. The Court denies this Motion because it does not comply with 28 U.S.C. § 1915(a). The Plaintiff shall pay the filing fee or file a renewed motion to proceed in forma pauperis that complies with 28 U.S.C. § 1915(a) by no later than August 7, 2023. If the Plaintiff chooses to proceed in forma pauperis, to

		comply with the statute, the Plaintiff shall file his motion upon the form AO 240 (Rev. 07/10) Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form), include a certificate concerning his prison bank account completed by an officer of the institution, and include a certified copy of his account for the 6-month period immediately preceding the filing of the complaint. Signed by Judge Robin L. Rosenberg (ccr) (Entered: 07/05/2023)
05/30/2023	4	<p>CORRECTED Clerks Notice of Judge Assignment to Judge Robin L. Rosenberg and Magistrate Judge Bruce E. Reinhart.</p> <p>Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Bruce E. Reinhart 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. (kpe) (Entered: 05/30/2023)</p>
05/30/2023	3	MOTION Requesting the Assistance of Civil Rights Attorney by Adonis Batista. (See DE [1-1] for image) Responses due by 6/13/2023.(kpe) (Entered: 05/30/2023)
05/30/2023	2	Judge Assignment to Judge Roy K. Altman (kpe) (Entered: 05/30/2023)
05/30/2023	1	Complaint pursuant to 42 USC 1983 against All Defendants, filed by Adonis Batista. Filing fee \$ 402.00. NOT PAID/NO IFP FILED. (Attachments: # 1 Request for assistance of Civil Rights Attorney, # 2 Exhibit)(kpe) (Entered: 05/30/2023)