

REF_RR,RMM

**U.S. District Court
Southern District of Florida (Ft Pierce)
CIVIL DOCKET FOR CASE #: 2:24-cv-14061-KMM**

Wilson v. Arellano et al
Assigned to: Judge K. Michael Moore
Referred to: Magistrate Judge Ryon M. McCabe
Case in other court: 19th Judicial Circuit in and for St. Lucie
County,, 562024CA000170 (ON)
Cause: 28:1441 Petition for Removal- Civil Rights Act

Date Filed: 03/04/2024
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff**Farris E Wilson**

represented by **Farris E Wilson**
107189
Saint Lucie County Jail
900 North Rock Road
Fort Pierce, FL 34945
PRO SE

V.

Defendant

Erik Arellano
Officer

Defendant

Nicholas Anton
Officer

represented by **Gail C. Bradford**
Dean, Ringers, Morgan & Lawton, PA
201 E. Pine Street
Suite 1200
Orlando, FL 32802-2928
407-422-4310
Fax: 407-648-0233
Email: gbradford@drml-law.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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04/30/2024	14	ORDER ON MOTION TO APPOINT COUNSEL. The Court construes the Motion as a request for referral to the Volunteer Attorney Program. For the reasons stated below, the Motion, DE# 13 is GRANTED. This matter is referred to the Court's Volunteer Attorney Program. Motions terminated: 13 MOTION to Appoint Counsel filed by Farris E Wilson. Motions terminated: 13 MOTION to Appoint Counsel filed by Farris E Wilson. Signed by Magistrate Judge Ryon M. McCabe on 4/30/2024. <i>See attached document for full details.</i> (nan) (Entered: 04/30/2024)
04/23/2024	13	MOTION to Appoint Counsel by Farris E Wilson. Responses due by 5/7/2024. (drz) (Entered: 04/23/2024)
04/19/2024	12	ORDER ON MOTION FOR THE COURTS TO PROVIDE PLAINTIFF WITH COUNSEL denying 8 Motion to Appoint Counsel. Responses due by 5/17/2024. Signed by Magistrate Judge Ryon M. McCabe on 4/19/2024. <i>See attached document for full details.</i> (drz) (Entered: 04/19/2024)
04/15/2024	11	PAPERLESS ORDER SUPERSEDING ECF NO. 9 REFERRING PRETRIAL MATTERS TO MAGISTRATE JUDGE RYON M. MCCABE. PURSUANT to 28 U.S.C. § 636 and the Magistrate Judge Rules of the Local Rules of the Southern District of Florida, the above-captioned Cause is referred to United States Magistrate Judge Ryon M. McCabe to take all necessary and proper action as required by law regarding all pre-trial, non-dispositive matters including discovery, and for a Report and Recommendation on any dispositive matters. In addition, the Parties are hereby ORDERED to comply with Magistrate Judge McCabe's discovery procedures. Signed by Judge K. Michael Moore on 4/15/2024. (mh02) (Entered: 04/15/2024)
04/12/2024	10	ORDER SETTING DISCOVERY PROCEDURE. Signed by Magistrate Judge Ryon M. McCabe on 4/12/2024. <i>See attached document for full details.</i> (nan) (Entered: 04/12/2024)
04/12/2024	9	PAPERLESS ORDER REFERRING PRETRIAL DISCOVERY MATTERS TO MAGISTRATE JUDGE RYON M. MCCABE. PURSUANT to 28 U.S.C. § 636 and the Magistrate Judge Rules of the Local Rules of the Southern District of Florida, the above-captioned Cause is referred to United States Magistrate Judge Ryon M. McCabe to take all necessary and proper action as required by law with respect to any and all pretrial discovery matters. Any motion affecting deadlines set by the Court's Scheduling Order is excluded from this referral, unless specifically referred by separate Order. It is FURTHER ORDERED that the parties shall comply with Magistrate Judge McCabe's discovery procedures. Signed by Judge K. Michael Moore (rhr) (Entered: 04/12/2024)
03/29/2024	8	MOTION for the Courts to provide Plaintiff with Counsel by Farris E Wilson. Responses due by 4/12/2024. (nan) (Entered: 03/29/2024)
03/13/2024	7	PAPERLESS ORDER. THIS CAUSE came before the Court upon Defendant Nicholas Anton's Motion for Extension of Time to Conduct Scheduling Conference and File Joint Scheduling Report. 6 Therein, Defendant requests a brief extension of time to conduct a scheduling conference because Plaintiff is currently in custody of the Saint Lucie County Sheriff and is residing at the county jail in Fort Pierce, Florida. See id. at 1-2. Accordingly, Defendant avers that "Plaintiff's status as an inmate at the Saint Lucie County Jail substantially limits his ability to confer in person or by telephone." Id. at 2. 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 6 is GRANTED. The Parties shall conduct a scheduling conference on or before May 9, 2024. Signed by Judge K. Michael Moore on 3/12/2024. (rhr) (Entered: 03/13/2024)
03/12/2024	6	MOTION for Extension of Time to conduct scheduling conference and file Joint Scheduling Report re 3 Pretrial Order,,,,,,,,,,,,,,,,,,,,, by Nicholas Anton. Responses due by 3/26/2024. (Bradford, Gail) (Entered: 03/12/2024)
03/11/2024	5	NOTICE OF SERVICE OF COURT ORDER by Nicholas Anton (Bradford, Gail) (Entered: 03/11/2024)
03/11/2024	1 4	MOTION TO DISMISS 1 Notice of Removal (State Court Complaint), FOR FAILURE TO STATE A CLAIM by Nicholas Anton. Responses due by 3/25/2024. (Attachments: # 1 Exhibit A - Arrest Report, # 2 Exhibit B - Information)(Bradford, Gail) (Entered: 03/11/2024)
03/05/2024	3	<p>PAPERLESS PRETRIAL ORDER. THIS ORDER has been entered upon the filing of a Notice of Removal. Counsel for the removing party is hereby ORDERED to forward a copy of this Order to all other parties. It is further ORDERED that S.D. Fla. L.R. 16.1 shall apply to this case and the parties shall hold a scheduling conference within twenty (20) days of the date of this Order. Within ten (10) days of the scheduling conference, counsel shall file a Joint Scheduling Report. The report shall indicate the proposed month and year for the trial and the estimated number of days required for trial. The scheduling conference may be held via telephone. At the conference, the parties shall comply with the following agenda that the Court adopts from S.D. Fla. L.R. 16.1: (1) Documents (S.D. Fla. L.R. 16.1.B.1 and 2) The parties shall determine the procedure for exchanging a copy of, or a description by category and location of, all documents and other evidence that is reasonably available and that a party expects to offer, or may offer, if the need arises. Fed. R. Civ. P. 26(a)(1)(B). (A) Documents include computations of the nature and extent of any category of damages claimed by the disclosing party unless the computations are privileged or otherwise protected from disclosure. Fed. R. Civ. P. 26(a)(1)(C). (B) Documents include insurance agreements which may be at issue with the satisfaction of the judgment. Fed. R. Civ. P. 26(a)(1)(D). (2) List of Witnesses - The parties shall exchange the name, address, and telephone number of each individual known to have knowledge of the facts supporting the material allegations of the pleading filed by the party. Fed. R. Civ. P. 26(a)(1)(A). The parties have a continuing obligation to disclose this information. (3) Discussions and Deadlines (S.D. Fla. L.R. 16.1.B.2) - The parties shall discuss the nature and basis of their claims and defenses and the possibility of a prompt settlement or resolution of the case. Failure to comply with this Order or to exchange the information listed above may result in sanctions and/or the exclusion of documents or witnesses at the time of trial. S.D. Fla. L.R. 16.1.I. Failure of counsel to file a joint scheduling report may result in remand or dismissal, default, and the imposition of other sanctions including attorney's fees and costs. The filing of a motion to dismiss, or other motion, does not toll the time for filing a joint scheduling report. Counsel for the non-removing party must file a motion to remand the case on the basis of any defect other than lack of subject matter jurisdiction within thirty (30) days after the filing of the Notice of Removal.</p> <p>The parties are hereby on notice that this Court requires all filings to be formatted in 12 point Times New Roman font and double spaced, including any footnotes, with one inch margins on all sides. Failure to follow these</p>

		<p>formatting guidelines may result in the filing being stricken, any opposing filing being granted by default, and the imposition of other sanctions, including attorney's fees and costs. 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. Failure to comply with ANY of these procedures may result in the imposition of appropriate sanctions, including but not limited to, the striking of the motion or dismissal of this action. The parties shall seek extensions of time in a timely fashion. "A motion for extension of time is not self-executing.... 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>Pursuant to Administrative Order 2016-70 of the Southern District of Florida and consistent with the Court of Appeals for the Eleventh Circuit's Local Rules and Internal Operating Procedures, within three (3) days of the conclusion of a trial or other proceeding, parties must file via CM/ECF electronic versions of documentary exhibits admitted into evidence, including photographs of non-documentary physical exhibits. The Parties are directed to comply with each of the requirements set forth in Administrative Order 2016-70 unless directed otherwise by the Court. Telephonic appearances are not permitted for any purpose. Upon reaching a settlement in this matter the parties are instructed to notify the Court by telephone and to file a Notice of Settlement within twenty-four (24) hours.</p> <p>Signed by Judge K. Michael Moore on 3/5/2024. (rhr) (Entered: 03/05/2024)</p>
03/04/2024	2	<p>Clerks Notice of Judge Assignment to Judge K. Michael Moore.</p> <p>Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Ryon M. McCabe 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. (nan) (Entered: 03/05/2024)</p>
03/04/2024	1	<p>NOTICE OF REMOVAL (STATE COURT COMPLAINT - Plaintiff's Civil Complaint) Filing fee \$ 405.00 receipt number AFLSDC-17340690, filed by Nicholas Anton. (Attachments: # 1 Civil Cover Sheet, # 2 Docket Sheet, # 3 Exhibit A - State Court Complaint & Other State Court Filings. No Answer/Motion to Dismiss filed. (Bradford, Gail) Modified Attachment Description on 3/5/2024 (nan). (Entered: 03/04/2024)</p>