

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 18-14778-D

WILLIAM JAMES TRUESDALE,

Plaintiff - Appellant,

versus

STATE OF FLORIDA,
DEFENSE ATTORNEY,
FDOC,
Secretary,
PRISON OFFICIALS,
JUDGE JUCK DAY,
Criminal Justice Center, et al.,

Defendants - Appellees.

Appeal from the United States District Court
for the Southern District of Florida

ENTRY OF DISMISSAL: Pursuant to the 11th Cir.R.42-1(b), this appeal is DISMISSED for want of prosecution because the Appellant William James Truesdale failed to pay the filing and docketing fees (or file a motion in the district court for relief from the obligation to pay in advance the full fee) to the district court within the time fixed by the rules, effective December 10, 2018.

DAVID J. SMITH
Clerk of Court of the United States Court
of Appeals for the Eleventh Circuit

by: Scott O'Neal, D, Deputy Clerk

FOR THE COURT - BY DIRECTION

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 18-22286-CIV-MARTINEZ-WHITE

WILLIAM JAMES TRUESDALE,

Plaintiff,

vs.

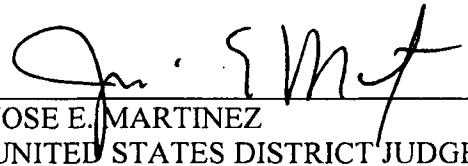
STATE OF FLORIDA, et al.,

Defendants.

FINAL JUDGMENT

Pursuant to Federal Rule of Civil Procedure 58, and in accordance with the reasons stated in the Court's Order Adopting Judge White's Report and Recommendations [ECF Nos. 5 & 8], judgment is entered in favor of Defendants David F. Ranck, Esq., and the Miami Criminal Defense Firm, and against Plaintiff.

DONE AND ORDERED in Chambers at Miami, Florida, this 29 day of October, 2018.


JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge White
All Counsel of Record
William James Truesdale, *pro se*

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 18-22286-CIV-MARTINEZ-WHITE

WILLIAM JAMES TRUESDALE,

Plaintiff,

vs.

STATE OF FLORIDA, et al.,

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORTS AND
RECOMMENDATIONS**

THIS MATTER was referred to the Honorable Patrick A. White, United States Magistrate Judge, for a Report and Recommendation on all dispositive matters [ECF No. 2]. Magistrate Judge White filed a Report and Recommendation ("First Report and Recommendation") [ECF No. 5], recommending (1) that Plaintiff's Complaint be DISMISSED, (2) that any leave to amend be denied, (3) that final judgment be entered, and (4) the case be closed. The Court has reviewed the entire record and is otherwise fully advised in the premises. This Court also notes that no objections to the Report and Recommendation [ECF No. 5] were filed. Plaintiff was required to file objections by July 5, 2018, and has failed to do so. Instead, Plaintiff filed an Amended Complaint [ECF No. 6]. Thereafter, Magistrate Judge White issued a Second Report and Recommendation, recommending that the Amended Complaint be dismissed as an "improper joinder of defendants and causes of actions"¹ [ECF No. 8]. In his Second Report and Recommendation, Magistrate Judge White recommended that (1) the Amended Complaint be

¹ With respect to the Miami-Dade County Defendants, Magistrate Judge White recommended that these Defendants be dismissed from the action as Plaintiff has failed to state a ground upon which relief can be granted [ECF No. 5, at 12-14].

DISMISSED, (2) no further amendments be permitted, (3) final judgment be entered, (4) and this case be closed. While Plaintiff did not object to Magistrate Judge White's First Report and Recommendation, he did file objections to the Second Report and Recommendation [ECF No. 10].

Plaintiff's Objections

This Court finds that, like Plaintiff's Complaint, Plaintiff's objections are a "hodgepodge of incomprehensible allegations and legalistic gibberish" [ECF No. 5, at 7]. From what this Court can decipher—Plaintiff appears to object on the basis he has been given fourteen days to file a valid claim or state his claims [ECF No. 10, at 11]. This is incorrect. Plaintiff was provided fourteen days to file written objections to Magistrate Judge White's Second Report and Recommendation [ECF No. 8]. Plaintiff also appears to cite cases that stand for the proposition that a plaintiff may amend his complaint [ECF No. 10, at 15]. Plaintiff filed an Amended Complaint in this case and Magistrate Judge White issued a Second Report and Recommendations. The Court is unable to discern why Plaintiff included this case law authority in his objections.

Accordingly, after a review of the record and a *de novo* review of Plaintiff's objections, and after careful consideration, it is hereby:

ADJUDGED that United States Magistrate Judge White's Report and Recommendations [ECF Nos. 5 & 8] are **AFFIRMED** and **ADOPTED**. Accordingly, it is:

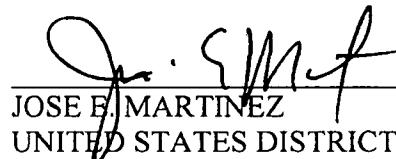
ADJUDGED that

1. Plaintiff's Amended Complaint is **DISMISSED**.
2. No further amendments will be permitted in this action for the reasons stated in Magistrate Judge White's well-reasoned report. Should Plaintiff seek to refile any of his causes of action, he is instructed to follow Magistrate Judge White's Report and

Recommendations and file his civil action(s) in the appropriate district, depending on the Defendants in question (i.e., Middle District of Florida, Northern District of Florida) [ECF No. 5, at 10].

3. The Court will enter final judgment by separate order.
4. This case is **CLOSED** and all pending motions are **DENIED AS MOOT**.

DONE AND ORDERED in Chambers at Miami, Florida, this 29 day of October, 2018.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge White
All Counsel of Record
William James Truesdale, *pro se*

07/13/2018	8	PAPERLESS REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>6</u> Amended Complaint,,, filed by William James Truesdale. Therein, Plaintiff seeks leave to add claims and defendants arising from events occurring while he was confined at Charlotte Correctional Institution, located in the Middle District of Florida, and Liberty Correctional Institution, located in Bristol, Florida, in the Northern District of Florida. For the reasons previously stated by the undersigned in its initial Report on screening, this Amendment is subject to dismiss as an improper joinder of defendants and causes of actions. It therefore remains the recommendation of the undersigned that claims and defendants arising from events at Liberty CI and Charlotte CI be dismissed without prejudice to the Plaintiff filing an appropriate civil rights action in the federal district court having jurisdiction over the claims and parties, to-wit, for Liberty CI it would be in the U.S. Dist. Ct., for the Northern District of Florida; and, for Charlotte CI, it would be in the U.S. Dist. Ct., for the Middle District of Florida. Therefore, it is recommended that this Amended Complaint be dismissed, that no further amendments be permitted, that final judgment be entered, and this case be closed. Objections to R&R due by 7/27/2018 Signed by Magistrate Judge Patrick A. White on 7/13/2018. (nn) (Entered: 07/13/2018)
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**Additional material
from this filing is
available in the
Clerk's Office.**