26-6112

IN THE SUPREME COURT OF THE UNITED STATES

ORIGINAL

No. _____

KATHRYN STILLWELL DRESSLER,

Petitioner,

v.

STATE OF FLORIDA, ET AL.,

Respondents.

FILED
SEP 01 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

APPENDIX TO PETITION FOR A WRIT OF CERTIORARI BEFORE JUDGMENT

KATHRYN STILLWELL DRESSLER

Petitioner, Pro Se

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 0:26-cv-60609-EA

Kathryn Stillwell Dressler,

Plaintiff,

v.

State of Florida, et al.,

Defendants.
_____/

ORDER CLOSING CASE WITHOUT PREJUDICE

This cause is before the Court sua sponte. On May 27, 2026, this Court dismissed the plaintiff's amended complaint and denied the plaintiff's motion to proceed in forma pauperis. [ECF No. 50]. The Court granted the plaintiff 30 days to file an amended in forma pauperis motion and to file a second amended complaint. [ECF No. 50]. The plaintiff failed to comply with the Court's ordered timeframe, but instead filed other motions in the case. Federal courts are allowed to dismiss a case sua sponte for failure to prosecute or failure to comply with court orders. *See* Fed. R. Civ. P. 41(b); *Link v. Wabash R. Co.*, 370 U.S. 626, 630-31 (1962); *Foudy v. Indian River Cnty. Sheriff's Off.*, 845 F.3d 1117, 1126 (11th Cir. 2017). Therefore, it is **ORDERED AND ADJUDGED**:

1. The Clerk of the Court is instructed to **CLOSE THIS CASE** without prejudice.
2. All pending motions are **DENIED AS MOOT** and all deadlines are **TERMINATED**.

DONE and ORDERED in Chambers, West Palm Beach, Florida, this 9th day of July 2026.

ED ARTAU
UNITED STATES DISTRICT JUDGE

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l Dressler

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PRO SE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 0:26-cv-60609-EA

Kathryn Stillwell Dressler,

Plaintiff,

v.

State of Florida, et al.,

Defendants.
_____/

ORDER

This cause comes before the Court sua sponte. This case was transferred to this district by the Southern District of Georgia. [ECF No. 29]. We previously dismissed the plaintiff's complaint as a shotgun pleading and afforded the plaintiff an opportunity to amend her complaint to make it comply with the Federal Rules of Civil Procedure. [ECF No. 39]. The plaintiff filed the operative amended complaint. [ECF No. 41]. After filing the amended complaint, the plaintiff filed various motions, including one asking this Court to honor a prior indigency determination that was made in Florida state courts. [ECF No. 43, at 2-3]. This Court construes such motion as a motion for leave to proceed in forma pauperis.

However, the plaintiff's motion for leave to proceed in forma pauperis must be denied because the motion is deficient, as she supplied none of the statutorily required information in her motion. Under 28 U.S.C. § 1915(a)(1), a district court may allow a case to proceed,

> without prepayment of fees . . . by a person who submits an affidavit that includes a statement of all such assets . . . that the person is unable to pay for such fees or give security therefor. Such affidavit shall state the nature of the action, defense or appeal and affiant's belief that the person is entitled to redress.

Because the plaintiff has not filed a proper motion to proceed in forma pauperis meeting the standards of 28 U.S.C. § 1915(a)(1), this Court grants the plaintiff **30 days** from the date of this order to pay the filing fee or file a compliant motion to proceed in forma pauperis, or this cause of action will be dismissed without further notice.

Notwithstanding the above, when a person desires to proceed in forma pauperis as the plaintiff does here, "the court *shall* dismiss the case at any time if the court determined that . . . the action or appeal [] is frivolous . . . [or] fails to a state a claim on which relief may be granted." 28 U.S.C. § 1915(e)(2) (emphasis added). To avoid dismissal for failure to state a claim, a plaintiff must set forth a plausible claim, which is "a context-specific task that requires the reviewing court to draw on its judicial experience and common sense." *Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009).

Here, the plaintiff has not set forth a claim on which relief may be granted. The gravamen of the plaintiff's amended complaint is that she is unsatisfied with the outcome of child custody proceedings. [ECF No. 41]. However, federal courts are courts of limited jurisdiction. *Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375, 378 (1994).

Under the *Younger* abstention doctrine, federal courts are to refrain from reaching the merits of a case when "(1) there is a pending state judicial proceeding; (2) the proceeding implicates important state interests; and (3) the parties have an adequate opportunity to raise any constitutional claims in the state proceeding." *Newsome v. Broward Cnty. Public Defenders*, 304 Fed. Appx. 816 (11th Cir. 2008). Based on the plaintiff's allegations, it appears that the child custody proceedings she is dissatisfied with are still ongoing, and based on the *Younger* abstention factors, this Court finds that abstention is warranted to the extent that any of the state court proceedings remain active and pending. *See, Liedel v. Juv. Ct. of Madison Cnty., Ala.*, 891 F.2d

1542, 1546 (11th Cir. 1990) (affirming the abstention of jurisdiction under *Younger* in ongoing child custody proceedings); *Narciso v. Walker*, 811 Fed. App'x. 600, 601 (11th Cir. 2020) (same).

Even if the proceedings are final, federal courts cannot intervene in child custody matters. *See Ankenbrandt v. Richards*, 504 U.S. 689, 703 (1992); *Ex Parte Burrus*, 136 U.S. 586, 593-94 (1890) ("The whole subject of the domestic relations of husband and wife, parent and child, belongs to the laws of the states, and not to the laws of the United States."). Further to the extent that the state court proceedings are final, the *Rooker-Feldman* doctrine would preclude this court from reviewing or otherwise modifying the final state court judgments and orders relating to the child custody matter. *See Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280 (2005) (explaining the *Rooker-Feldman* doctrine); *Thomas v. Disanto*, 762 Fed. Appx. 770 (11th Cir. 2019) (affirming district court's declining review of state child custody proceedings under the *Rooker-Feldman* doctrine).

Further, the record shows that the plaintiff has not served any of the many defendants in this case. While some of the defendants in the amended complaint were added at the time of the filing the amended complaint on April 2, 2026, other defendants have been parties in this case since December 2025. [See ECF No. 1]. Rule 4(m) requires a defendant to be served within 90 days after a complaint is filed. Fed. R. Civ. P. 4(m). Failure to serve within the 90-day timeframe requires this Court to dismiss the action without prejudice after notice is given to the plaintiff. Fed. R. Civ. P. 4(m). The filing of an amended complaint does not toll or restart the 90-day service period, except for those defendants that are newly added. *Charles v. Bradshaw*, Case No. 17-80861-CV-MIDDLEBROOKS/BRANNON, 2018 WL 11243595 at *2 (S.D. Fla. Feb. 15, 2018). Because this Court is dismissing the amended complaint, this Court does not set a timeframe to

serve the defendants at this time but warns the plaintiff that proper service is required if she elects to file a second amended complaint in this action.

It is **ORDERED AND ADJUDGED** that,

1. The Emergency Motion to Compel Ruling on IFP Status [ECF No. 43] is **DENIED**. The plaintiff must file a Motion to Proceed in Forma Pauperis that complies with 28 U.S.C. § 1915 on or by **June 25, 2026**, or pay the required filing fee. Failure to do so will result in dismissal of this case without further notice.
2. The Amended Complaint [ECF No. 41] is **DISMISSED WITHOUT PREJUDICE**. The plaintiff may file a second amended complaint on or by **June 25, 2026**.
3. The Clerk of Court shall mail a copy of this order to the plaintiff and file a notice of compliance of the same.

DONE AND ORDERED in Chambers in West Palm Beach, Florida, this 26th day of May 2026.

Ed Artau

ED ARTAU
UNITED STATES DISTRICT JUDGE

Copies Served:

Dressler

Email: kath sler@gmail.com
PRO SE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 0:26-cv-60609-EA

Kathryn Stillwell Dressler,

Plaintiff,

v.

State of Florida, et al.,

Defendants.
_____/

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AS IMPERMISSIBLE SHOTGUN PLEADING

This cause comes before this Court on *sua sponte* review of the record. For the reasons explained below, the complaint is **DISMISSED WITHOUT PREJUDICE** as a shotgun pleading.

There are four types of shotgun complaints, but all share a unifying characteristic that "in one way or another [they fail] to give the defendants adequate notice of the claims against them and the grounds upon which each claim rests." *Weiland v. Palm Beach Cnty. Sheriff's Off.*, 792 F.3d 1313, 1323 (11th Cir. 2015). Here, the plaintiff's complaint is a shotgun pleading because it (1) contains multiple counts "where each count adopts the allegations of all preceding counts"; (2) is "replete with conclusory, vague, and immaterial facts"; and (3) alleges "multiple claims against multiple defendants without specifying which of the defendants are responsible for which acts or omissions, or which of the defendants the claim is brought against." *Id.* at 1322-23.

A properly drafted complaint requires a "short and plain statement of the claim showing that the [plaintiff] is entitled to relief." Fed. R. Civ. P. 8(a)(2). The point of the requirement is to give the defendant fair notice of what claims are being asserted against them. *Harrison v. Benchmark Electronics Huntsville, Inc.*, 595 F.3d 1206, 1214 (11th Cir. 2010). The factual assertions in a

complaint must rise beyond speculative level and must have sufficient facts to plausibly state a claim for relief. *Ashcroft v. Iqbal*, 556 U.S. 662, 667 (2009). While a district court has "the inherent authority to control its docket," including the ability to sua sponte dismiss a complaint as a shotgun pleading, district courts must allow a litigant "one chance to remedy such deficiencies" by allowing leave to amend the complaint. *Vibe Micro, Inc. v. Shabanets*, 878 F.3d 1291, 1295 (11th Cir. 2018) (quoting *Weiland*, 792 F.3d at 1320).

Further, the Court notes that while the complaint was filed on December 10, 2025, to date, no defendants in the case have been served. Rule 4(m) of the Federal Rules of Civil Procedure require a plaintiff to serve defendants within 90 days of the complaint being filed. If the 90-day deadline passes, "the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time." Fed. R. Civ. P. 4(m). The 90-day deadline expired on March 10, 2026. Rule 4(m) further provides that if the plaintiff shows good cause for such failure to serve, the Court must extend the time for service. Fed. R. Civ. P. 4(m). Good cause exists "only when some outside factor[,] such as reliance on faulty advice, rather than inadvertence or negligence, prevented service." *Lepone-Dempsey v. Carroll Cnty. Com'rs*, 476 F.3d 1277, 1281 (11th Cir. 2007) (quoting *Prisco v. Frank*, 929 F.2d 603, 604 (11th Cir. 19914) (alteration in original).

Therefore, it is **ORDERED AND ADJUDGED** that,

1. The Complaint [ECF No. 1] is hereby **DISMISSED WITHOUT PREJUDICE**.
2. The deadline to file an **amended complaint** that complies with the Federal Rules of Civil Procedure is **April 22, 2026**.
3. Failure to timely file an amended complaint that complies with the Federal Rules of Civil Procedure will result in **dismissal of the case without further notice**.

4. The plaintiff **must serve all defendants** in accordance with Rule 4 of the Federal Rules of Civil Procedure by **April 22, 2026**, or otherwise provide this Court with good cause for why service could not be effectuated by the deadline.
5. Failure to timely serve the defendants or show good cause will result in **dismissal of the case without further notice.**
6. The Clerk shall file a notice of compliance that a copy of this order has been mailed to the parties.

DONE AND ORDERED in Chambers in West Palm Beach, Florida, this 23rd day of March 2026.

Ed Artau

ED ARTAU
UNITED STATES DISTRICT JUDGE

Copies Served:

Dressler

561-870-99
PRO SE

In the United States District Court for the Southern District of Georgia Brunswick Division

KATHRYN STILLWELL DRESSLER,

Plaintiff,

v.

CV 225-154

STATE OF FLORIDA; STATE OF GEORGIA; JUDGE KRISTIN K. KRAMER, Broward County, FL; GENERAL MAGISTRATE ANNETTE SZOROSY, Broward County, FL; JUDGE KEVIN P. TYNAN, Broward County, FL; JUDGE MOTT, Miami-Dade County CV Division; JUDGE CHARLES P. ROSE, McIntosh County, GA; JUDGE MARK HENDRIX, McIntosh County, GA; PAUL GAWOR; ANITA HASSELL; CARLO RICCI; FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES; GEORGIA DIVISION OF FAMILY & CHILDREN SERVICES; MIAMI-DADE POLICE DEPARTMENT/SHERIFF'S OFFICE; MIAMI-DADE FAMILY DIVISION CLERK'S OFFICE; MIAMI-DADE DOMESTIC VIOLENCE DIVISION; MCINTOSH COUNTY SHERIFF'S OFFICE; ALL OTHER INDIVIDUALS ACTING UNDER COLOR OF LAW,

Defendants.

ORDER

This case is before the Court to address whether the convenience of the parties and the interests of justice indicate that this action should proceed in another forum. The Court

provided the parties the opportunity to weigh-in on this issue, dkt. no. 25, and Plaintiff has done so, dkt. nos. 26, 27.

BACKGROUND

Plaintiff Kathryn Dressler initiated this civil rights action on December 10, 2025. Dkt. No. 1. In the complaint, Plaintiff generally alleges violations of federal law by entities and individuals, including judges, who played a role in an underlying child custody case during which a Florida court ordered that Plaintiff's daughter, A.G., who was with Plaintiff in McIntosh County, Georgia, be returned to her father, Paul Gawor, in Miami, Florida. See generally id.

According to Plaintiff, "[t]his matter squarely concerns unlawful state action, abuse of judicial power, fabrication of proceedings, denial of due process, and active endangerment of a minor child and a disabled domestic violence survivor." Dkt. No. 1 at 6. To begin, Plaintiff alleges Gawor committed domestic violence against her in the presence of A.G. in Broward County, Florida, in 2022. Id. at 12. Plaintiff alleges protective orders were issued against Gawor, and his custodial rights of A.G. were never restored. Id. at 13. At some point, Gawor initiated what appears to be a child custody matter against Plaintiff with the Miami-Dade Family Division in Miami, Florida. See id. at 17, 31. In January 2025, Plaintiff purchased a house in McIntosh County, Georgia. Id. at 8. In

May 2025, a court in Broward County, Florida, ordered that A.G. be removed from Plaintiff's Georgia home and returned to Gawor in Miami, Florida. See id. at 13, 20. Plaintiff alleges a Georgia court approved the enforcement order without a hearing. Id. at 26. On May 27, 2025, the "pick up" order was enforced by the McIntosh County, Georgia, Sheriff's Office, and A.G. was removed from Plaintiff's home. Id. at 23. In December 2025, the Miami-Dade Domestic Violence Division denied Plaintiff's motion for emergency relief wherein she requested the return of her daughter. Id. at 34, 35.

Now Plaintiff brings this civil rights action in the Southern District of Georgia, Brunswick Division, alleging violations of 42 U.S.C. § 1983, the Americans with Disabilities Act, the Violence Against Women Act, the Child Abuse Prevention and Treatment Act, the Parental Kidnapping Prevention Act, the Family Educational Rights and Privacy Act, the Uniform Child Custody Jurisdiction and Enforcement Act, and the First, Fourth and Fourteenth Amendments to the U.S. Constitution. See id. The cast of Defendants include: the State of Florida; Broward County, Florida, Judges Kristin Kanner, Annette Szorosy, and Kevin Tynan; Miami-Dade County Domestic Violence Division Judge Mott; the Florida Department of Children and Families; the Miami-Dade Police Department/Sheriff's Office; the Miami-Dade Family Division Clerk's Office; the Miami-Dade Domestic Violence

Division; and A.G.'s father, Paul Gawor (the "Florida Defendants"); the State of Georgia; McIntosh County, Georgia, Judges Charles Rose and Mark Hendrix; the Georgia Division of Family and Children Services; and the McIntosh County Sheriff's Office (the "Georgia Defendants"); and, finally, Anita Hassell and Carlo Ricci, neither of whom Plaintiff identifies in the complaint. Plaintiff seeks declaratory relief, injunctive relief, a writ of mandamus, a writ of prohibition, certiorari, compensatory and punitive damages, fees and costs.

On January 29, 2026, the Court noted the locus of operative facts in this case is the Southern District of Florida, and the Court ordered the parties to submit briefing on the issue of forum non conveniens. Dkt. No. 25. Plaintiff has submitted briefing, arguing that this case should proceed in the Southern District of Georgia. Dkt. Nos. 26, 27.

LEGAL AUTHORITY

"There is a long-approved practice of permitting a court to transfer a case sua sponte under the doctrine of forum non conveniens, as codified at 28 U.S.C. § 1404(a)," provided that "the parties are first given the opportunity to present their views on the issue." Tazoe v. Airbus S.A.S., 631 F.3d 1321, 1336 (11th Cir. 2011) (citations and quotations omitted). "'The *forum non conveniens* determination is committed to the sound

discretion of the trial court.'" Id. (quoting Piper Aircraft Co. v. Reyno, 454 U.S. 235, 237 (1981)).

DISCUSSION

In the complaint, Plaintiff alleges venue is proper in this Court under 28 U.S.C. § 1391(b)(2) because "[a] substantial part of the events occurred in McIntosh County, Georgia, where the illegal seizure, concealment, ADA violations and enforcement actions took place." Id. at 8; see also 28 U.S.C. § 1391(b)(2) ("A civil action may be brought in . . . a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is subject of the action is situated."). However, it is clear to the Court that, for the convenience of the parties and the interests of justice, this action should be transferred to the Southern District of Florida.

When considering whether to transfer venue, the following factors are to be considered:

> (1) the convenience of the witnesses; (2) the location of relevant documents and the relative ease of access to sources of proof; (3) the convenience of the parties; (4) the locus of operative facts; (5) the availability of process to compel the attendance of unwilling witnesses; (6) the relative means of the parties; (7) a forum's familiarity with the governing law; (8) the weight accorded to a plaintiff's choice of forum; and (9) trial efficiency and the interests of justice, based on the totality of the circumstances.

Kelling v. Hartford Life & Accident Ins. Co., 961 F. Supp. 2d 1216, 1218 (M.D. Fla. 2013) (quoting Manuel v. Convergys Corp., 430 F.3d 1132, 1135 n.1 (11th Cir. 2005)). "The plaintiff's choice of forum should not be disturbed unless it is clearly outweighed by other considerations." Robinson v. Giarmarco & Bill, P.C., 74 F.3d 253, 260 (11th Cir. 1996) (quoting Howell v. Tanner, 650 F.2d 610, 616 (5th Cir. Unit B 1981)).

I. Alternative Forum

The locus of operative facts for this case is Broward County, Florida, which lies within the Southern District of Florida, Ft. Lauderdale Division. Before analyzing the convenience factors of § 1404(a), the Court must first determine whether Plaintiff could have brought this action in the Southern District of Florida, Ft. Lauderdale Division. "An action 'might have been brought' in a proposed transferee court if: (1) the court had jurisdiction over the subject matter of the action; (2) venue is proper there; and (3) the defendant is amenable to process issuing out of the transferee court." Windmere Corp. v. Remington Prods., Inc., 617 F. Supp. 8, 10 (S.D. Fla. May 31, 1985) (citing 15 C. Wright, A Miller & E. Cooper, Fed. Prac. & Proc. § 3845 (1976)).

First, the Southern District of Florida, just like this Court, has subject matter jurisdiction over this case because it involves questions of federal law. Second, venue is proper in

the Southern District of Florida because the majority of Defendants reside there. 28 U.S.C. § 1391(b)(1); Dkt. No. 1 at 10-11. Finally, the vast majority of Defendants—the Florida Defendants—are amenable to service of process in the Southern District of Florida. Whether the Georgia Defendants are amenable to process in the Southern District of Florida is less important because Plaintiff's claims against them fail as a matter of law. See infra, pp. 9-10. The Court easily concludes this action could have been brought in the Southern District of Florida, Ft. Lauderdale Division, and will now evaluate the applicable § 1404(a) factors to determine whether transfer of venue is appropriate.

II. Convenience Factors

A. Locus of Operative Facts

"In determining the locus of operative facts, the court must look at 'the site of events from which the claim arises.'" Gubarev v. Buzzfeed, Inc., 253 F. Supp. 3d 1149 (S.D. Fla. 2017) (quoting Nat'l Trust Ins. Co. v. Pa. Nat'l Mut. Cas. Ins. Co., 223 F. Supp. 3d 1236, 1245 (M.D. Fla. 2016)). "When there are multiple loci of operative facts, a court should attempt to determine if there is one primary locus with the strongest connection to the operative facts." Combs v. Fla. Dep't of Corr., 461 F. Supp. 3d 1203, 1212 (N.D. Fla. 2020).

In this case, all of Plaintiff's alleged damages and rights violations stem from Broward County, Florida, where a court ordered that Plaintiff's daughter, A.G., be removed from Plaintiff's care and returned to her father in Miami, Florida. Dkt. No. 1 at 13, 20; see also id. at 4 (Plaintiff alleging "[t]he illegal, warrantless interstate seizure" of Plaintiff's daughter in McIntosh County, Georgia, was a result of "[e]nforcement of a void *Florida* pick-up order" (emphasis added)). True, as Plaintiff notes, A.G.'s removal occurred at Plaintiff's home, within the Southern District of Georgia. However, A.G.'s removal from Georgia constitutes only a small portion of the saga of events that led to this case. The location with the strongest connection to the facts that give rise to this case is the Southern District of Florida. Combs, 461 F. Supp. 3d at 1212.

B. Plaintiff's Choice of Forum

The general rule is that a plaintiff has the right to choose the forum in which to pursue a case. "The plaintiff's choice of forum should not be disturbed unless it is clearly outweighed by other considerations." Robinson v. Giarmarco & Bill, P.C., 74 F.3d 253, 260 (11th Cir. 1996). However, "the choice of forum is afforded little weight if the majority of the operative events occurred elsewhere." Bell v. Rosen, No. CV214-127, 2015 WL 5595806, at *13 (S.D. Ga. Sept. 22, 2015). "In

those instances, no party is particularly inconvenienced by a transfer." Id. (internal quotations and citation omitted).

While Plaintiff has a legitimate reason for choosing to file her lawsuit in this District—her residence here—her choice is afforded little weight due to the majority of operative events occurring in the Southern District of Florida. The Court concludes the parties would not be inconvenienced by a transfer, and this factor weighs in favor of transfer to the Southern District of Florida.

C. Convenience of the Parties

With regard to convenience of the parties, Plaintiff alleges only that proceeding in this District is more convenient for *her*. Dkt. No. 1 at 8. Plaintiff fails to address that ten of the fifteen Defendants whose citizenship is alleged in the complaint reside in the Southern District of Florida. Further, Plaintiff's claims against all five Georgia Defendants are likely to fail as a matter of law. To begin, the State of Georgia and the Georgia Division of Family and Children Services are immune from suit under the Eleventh Amendment. McClendon v. Ga. Dep't of Cmty. Health, 261 F.3d 1252, 1256 (11th Cir. 2001); Simonds v. Shearer, No. 3:22-CV-118 (CAR), 2023 WL 274469, at *3 (M.D. Ga. Jan. 18, 2023). Additionally, Plaintiff's claims against McIntosh County Judges Rose and Hendrix are likely barred by judicial immunity. Thomas v. Sweatt, No. 23-10605,

2023 WL 7105581, at *1 (11th Cir. Oct. 27, 2023) ("'Judges are entitled to absolute judicial immunity from damages for those acts taken while they are acting in their judicial capacity unless they acted in the "clear absence of all jurisdiction."'" (quoting Bolin v. Story, 225 F.3d 1234, 1239 (11th Cir. 2000))). To be more precise, Plaintiff's conclusory statements that Judges Rose and Hendrix violated her federal rights lack the specificity required to show they acted outside of their jurisdiction. Id. Finally, Plaintiff's claims against the McIntosh County (Georgia) Sheriff's Office likely fail as a matter of law. Brown v. Newton Cnty. Sheriff's Off., 273 F. Supp. 3d 1142, 1161 (N.D. Ga. 2017) ("The Eleventh Circuit has examined Georgia law and concluded that sheriffs' departments are not considered legal entities subject to suit." (citing Lovelace v. DeKalb Cent. Prob., 144 F. App'x 793, 795 (11th Cir. 2005))). The convenience of the ten Florida Defendants far outweighs the convenience of Plaintiff, and this factor weighs in favor of transfer.

D. Convenience of the Witnesses & Availability of Process to Compel Their Attendance

For purposes of the convenience-of-witnesses factor, "the focus of the Court's inquiry should be on 'key witnesses,' i.e., those whose knowledge and anticipated testimony is relevant not only to damages, but also to liability." Sarvint Techs., Inc. v. Omsignal, Inc., 161 F. Supp. 3d 1250, 1266 (N.D. Ga. 2015)

(citing Ramsey v. Fox News Network, LLC, 323 F. Supp. 2d 1352, 1357 (N.D. Ga. 2004); McNair v. Monsanto Co., 279 F. Supp. 2d 1290, 1311 (M.D. Ga. 2003)). "Specifically, the court must determine whether the witnesses have actual knowledge about the issues in the case, where they are located, and whether it will be more convenient for them if the action is in [the Southern District of Georgia] or [the Southern District of Florida]." Id. at 1267 n.9 (citing Cellularvision Tech. & Telecomm., L.P. v. Alltel Corp., 508 F. Supp. 2d 1186, 1190 (S.D. Fla. 2007)). Plaintiff makes no effort to identify key witnesses or their location, and the Court will make no assumptions. This factor is therefore neutral to transfer.

E. Location of Documents and Sources of Proof

"Because most records and documents can be stored and transmitted electronically, their location is entitled to little weight." Combs, 461 F. Supp. 3d at 1210 (quotation marks and citation omitted). This factor is neutral to transfer.

F. Relative Means of the Parties

Plaintiff states generally that she is an "indigent litigant." Dkt. No. 26 at 8. The Court notes that Plaintiff has moved the Court for leave to proceed in forma pauperis. Dkt. No. 2. This factor weighs against transfer.

G. Forum's Familiarity with the Governing Law

This Court and the Southern District of Florida are equally familiar with the federal law governing the claims in this case. However, to the extent Plaintiff's claims rely on Florida state law, the Southern District of Florida is the more convenient forum. Any small amount of Georgia law relevant to this case is easy to discern.

H. Trial Efficiency and the Interests of Justice

"In evaluating trial efficiency and interests of justice, the Court looks at whether the case may be resolved more expeditiously in the alternative forum." Spanx, Inc. v. Times Three Clothier, LLC, No. 1:13-CV-710-WSD, 2013 WL 5636684, at *5 (N.D. Ga. Oct. 15, 2013). As discussed supra, this case stems from Broward County, Florida, where a court ordered that Plaintiff's daughter, A.G., be removed from Plaintiff's care and returned to her father in Miami, Florida. Dkt. No. 1 at 13, 20. When considering the "practical problems that make trial of a case easy, expeditious and inexpensive," Moore v. McKibbon Brothers, 41 F. Supp. 2d 1350, 1357 (N.D. Ga. 1998), the Southern District of Florida is the more convenient venue. Further, the Southern District of Florida has a greater interest than this Court in the proceedings of Florida state courts, from which this action arises.

CONCLUSION

"The purpose of a Section 1404(a) transfer is to promote litigation efficiency by preventing waste of time, energy, resources, and duplication and to deter one-ups-manship filings." Spanx, Inc., 2013 WL 5636684, at *5. After considering all the relevant factors, the Court concludes the convenience factors weigh in favor of transferring this action to the Southern District of Florida, the locus of operative fact. Accordingly, the Clerk is **DIRECTED** to transfer this matter to the Southern District of Florida, Ft. Lauderdale Division.

SO ORDERED, this 3rd day of March, 2026.

HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

In the
United States Court of Appeals
For the Eleventh Circuit

No. 26-10221

In re: KATHRYN STILLWELL DRESSLER,

Petitioner.

On Petition for Writ of Mandamus to the
United States District Court for the
Southern District of Georgia
D.C. Docket No. 2:25-cv-00154-LGW-BWC

Before BRANCH, LUCK, and LAGOA, Circuit Judges.

BY THE COURT:

Kathryn Dressler, proceeding pro se, petitions this Court for a writ of mandamus arising out of a civil action she initiated in the U.S. District Court for the Southern District of Georgia. She also moves to proceed in forma pauperis ("IFP") as to her petition. In her petition, Dressler asserts that the district court has failed to rule

on a series of "emergency" motions that she began filing in December 2025. As relief, she asks that this Court direct the U.S. District Court for the Southern District of Georgia to rule on her motions.

Mandamus is available "only in drastic situations, when no other adequate means are available to remedy a clear usurpation of power or abuse of discretion." *Jackson v. Motel 6 Multipurpose, Inc.*, 130 F.3d 999, 1004 (11th Cir. 1997) (quotation omitted). Mandamus may be used to direct a district court to decide a pending case when there has been unreasonable delay in rendering a decision. *See Johnson v. Rogers*, 917 F.2d 1283, 1284 (10th Cir. 1990) (persuasive authority holding that a 14-month delay in ruling on a 28 U.S.C. § 2241 petition for no reason other than docket congestion was impermissible).

"[A] federal court has no authority to give opinions upon moot questions or abstract propositions, or to declare principles or rules of law which cannot affect the matter in issue in the case before it." *Zinni v. ER Solutions, Inc.*, 692 F.3d 1162, 1166 (11th Cir. 2012) (quotation marks omitted). "[A]n issue is moot when it no longer presents a live controversy with respect to which the court can give meaningful relief." *Christian Coal. of Fla., Inc. v. United States*, 662 F.3d 1182, 1189 (11th Cir. 2011) (quotation marks omitted).

Here, after Dressler filed her instant mandamus petition, the U.S. District Court for the Southern District of Georgia transferred her case to the U.S. District Court for the Southern District of Florida. Therefore, Dressler's mandamus petition is moot, as this

Court can no longer provide Dressler meaningful relief as to the purported delay by the U.S. District Court for the Southern District of Georgia in ruling on her motions.

Accordingly, Dressler's mandamus petition is hereby **DISMISSED** as moot, and her IFP motion is **DENIED** as moot.

APPENDIX F

PERTINENT CONSTITUTIONAL, STATUTORY, AND RULE PROVISIONS

Pertinent portions identified in the Petition are reproduced below.

U.S. Constitution - First Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

U.S. Constitution - Fourth Amendment

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

U.S. Constitution - Fourteenth Amendment, Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

28 U.S.C. § 1254(1)

Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods:

(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree;

28 U.S.C. § 1915(a)(1), (d), and (e)(1)

(a)(1) Subject to subsection (b), any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor. Such affidavit shall state the nature of the action, defense or appeal and affiant's belief that the person is entitled to redress.

(d) The officers of the court shall issue and serve all process, and perform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases.

(e)(1) The court may request an attorney to represent any person unable to afford counsel.

28 U.S.C. § 2101(e)

An application to the Supreme Court for a writ of certiorari to review a case before judgment has been rendered in the court of appeals may be made at any time before judgment.

28 U.S.C. § 2106

The Supreme Court or any other court of appellate jurisdiction may affirm, modify, vacate, set aside or reverse any judgment, decree, or order of a court lawfully brought before it for review, and may remand the cause and direct the entry of such appropriate judgment, decree, or order, or require such further proceedings to be had as may be just under the circumstances.

29 U.S.C. § 794(a) (pertinent part)

No otherwise qualified individual with a disability in the United States, as defined in section 705(20) of this title, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.

42 U.S.C. § 1983

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

42 U.S.C. § 1985(2)-(3) (pertinent portions)

(2) Obstructing justice; intimidating party, witness, or juror. If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(3) Depriving persons of rights or privileges. If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

42 U.S.C. § 12132

Subject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

42 U.S.C. § 12203(a)-(b)

(a) Retaliation. No person shall discriminate against any individual because such individual has opposed any act or practice made unlawful by this chapter or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this chapter.

(b) Interference, coercion, or intimidation. It shall be unlawful to coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by this chapter.

Federal Rule of Civil Procedure 4(c)(3)

(3) By a Marshal or Someone Specially Appointed. At the plaintiff's request, the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court. The court must so order if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915 or as a seaman under 28 U.S.C. § 1916.

Federal Rule of Civil Procedure 41(b)

(b) Involuntary Dismissal; Effect. If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it. Unless the dismissal order states otherwise, a dismissal under this subdivision (b) and any dismissal not under this rule - except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19 - operates as an adjudication on the merits.

Supreme Court Rule 10 - Considerations Governing Review on Certiorari

Review on a writ of certiorari is not a matter of right, but of judicial discretion. A petition for a writ of certiorari will be granted only for compelling reasons. The following, although neither controlling nor fully measuring the Court's discretion, indicate the character of the reasons the Court considers:

(a) a United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;

(b) a state court of last resort has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States court of appeals;

(c) a state court or a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.

A petition for a writ of certiorari is rarely granted when the asserted error consists of erroneous factual findings or the misapplication of a properly stated rule of law.

Supreme Court Rule 11 - Certiorari to a United States Court of Appeals Before Judgment

A petition for a writ of certiorari to review a case pending in a United States court of appeals, before judgment is entered in that court, will be granted only upon a showing that the case is of such imperative public importance as to justify deviation from normal appellate practice and to require immediate determination in this Court. See 28 U.S.C. § 2101(e).