

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

NIDIA MERRILL,

Plaintiff,

v.

Case No: 2:15-cv-232-FtM-38MRM

DYCK-O'NEAL, INC.,

Defendant.

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NOTICE¹

This matter comes before the Court upon review of Plaintiff Nidia Merrill's Notice to the Court. ([Doc. 59](#)). The Notice, which is based on [Local Rule 3.01\(h\)](#), states that Merrill's Motion for Summary Judgment has been ripe for more than 180 days. ([Doc. 59 at 1](#)). The undersigned has been the only active district judge in the Fort Myers Division since June 2015. This will continue to be the case for the near future. Because of the undersigned's demanding trial calendar and heavy criminal and civil caseload, consenting to the United States Magistrate Judge is an available option. Otherwise, the Court is aware of Merrill's motion and continues to consider it.

DONE and **NOTICED** in Fort Myers, Florida this 18th day of October 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record

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