

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JOSEPH JOHN BALUHA,

Plaintiff,

v.

Case No: 2:15-cv-759-FtM-38CM

CHRISTINE WHITMAN, MIKE  
SCOTT, MONAHAN, CEO OF AT &  
T, CEO OF BEST WESTERN and  
RICHARD SCOTT,

Defendants.

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**ORDER**

This matter comes before the Court on *sua sponte* review of the file. Plaintiff Joseph John Baluha, appearing *pro se*, initiated this suit against Defendants on September 29, 2015, in the United States District Court for the Eastern District of Pennsylvania. (Doc. #1). Approximately two months later, the district court transferred this case to this Court. (Doc. #5).

On March 22, 2016, the Court ordered Plaintiff to show cause, on or before April 5, 2016, why it should not dismiss the Complaint for failure to effect service on Defendants in accordance with the Federal Rules of Civil Procedure and the Middle District of Florida Local Rules. (Doc. #9). Because of Plaintiff's *pro se* status, the Clerk of Court mailed a copy the Court's Order to Plaintiff at the following address:

Mr. Joseph John Baluha  
619 SE 13th Ave.  
Cape Coral, FL 33990

However, it was returned as undeliverable. Upon review of Plaintiff's Complaint, however, the above-listed address differs from the address listed in the attachments to the

Complaint (Doc. #1-1; Doc. #1-2), and the Civil Docket Sheet from the Eastern District of Pennsylvania (Doc. #5). Plaintiff's listed address in those documents is 5886 Enterprise Parkway, Fort Myers, Florida 33905. Because of the different addresses, the Court will, in an abundance of caution, afford Plaintiff another opportunity to respond.

Accordingly, it is now

**ORDERED:**

(1) The Clerk of Court is **DIRECTED** to mail a copy of this Order and the Court's

Order dated March 22, 2016 (Doc. #9) to Plaintiff at the following address:

Mr. Joseph John Baluha  
5886 Enterprise Parkway  
Fort Myers, FL 33905

(2) Within fourteen (14) days, Plaintiff must advise the Court, in writing, why it should not dismiss the Complaint for failure to effect service and for failure to prosecute this case. **Plaintiff's failure to respond will result in dismissal of this case without further notice.**

**DONE** and **ORDERED** in Fort Myers, Florida this 8th day of April, 2016.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record