

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

EDWARD J. JABLONSKI,

Plaintiff,

v.

Case No: 2:17-cv-107-FtM-38CM

JASON S. MAZER, MEGHAN C.
MOORE, R. HUGH LUMPKIN,
BRENTON N. VER PLOEG and
VER PLOEG & LUMPKIN, P.A.,

Defendants.

ORDER

This matter comes before the Court upon review of Plaintiff's Motion for Hearing (Doc. 36) filed on May 30, 2017 and Motion for Extension of Time (Doc. 38) filed on June 6, 2017. Plaintiff's motion for a hearing appears to request a hearing on the merits of this case and his request for appointment of counsel. Doc. 36. His motion for extension asks for additional sixty (60) days to file an amended complaint. Doc. 38.

On March 22, 2017, United States District Judge Sheri Polster Chappell dismissed Plaintiff's Complaint (Doc. 1) for lack of subject-matter jurisdiction and ordered Plaintiff to file an amended complaint that adequately pleads federal subject-matter jurisdiction on or before April 3, 2017. Doc. 24. Plaintiff requested two extensions of time, which the Court granted and allowed him until June 5, 2017 to file an amended complaint. Doc. 26, 28, 31, 33. Given the length of the extension, the Court noted in the Order (Doc. 33) that it "will not be inclined to grant additional

extensions beyond that provided by this Order absent extenuating circumstances.” Doc. 33 at 2.

Despite the two-month extension and the Court’s clear directive, Plaintiff’s motion for extension again seeks additional sixty (60) days to file an amended complaint on unclear grounds. Doc. 38. Because Plaintiff is proceeding pro se and appears to allege that he has suffered a medical issue in April 2017, the Court will grant one **FINAL** extension of time to file an amended complaint. Doc. 36 at 2. As noted in the previous Order, Plaintiff’s failure to comply with the extended deadline may result in dismissal of this case. Doc. 24 at 2.

Furthermore, the Court will deny as moot Plaintiff’s motion for a hearing (Doc. 36) on the merits of this case and his request for appointment of counsel because the Court already denied his request for appointment of counsel on April 25, 2017, and there is no operative complaint in this matter. Doc. 33 at 2-4.

ACCORDINGLY, it is hereby

ORDERED:

1. Plaintiff’s Motion for Hearing (Doc. 36) is **DENIED as moot**.
2. Plaintiff’s Motion for Extension of Time (Doc. 38) is **GRANTED in part**.

Plaintiff shall have up to and including **July 12, 2017** to file an amended complaint pursuant to the Order (Doc. 24).

DONE and **ORDERED** in Fort Myers, Florida on this 12th day of June, 2017.



CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record
Edward J. Jablonski