

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

CASTILLA ROOFING, INC. A/A/O
JOHN CUCKLER AND
MARJORIE CUCKLER,

Plaintiff,

v.

Case No: 2:21-cv-200-SPC-MRM

INDIAN HARBOR
INSURANCE COMPANY,

Defendant.

ORDER¹

This matter comes before the Court on review of Defendant's Motion for Summary Judgment. ([Doc. 33](#)). The Court strikes the filing because it does not comply with the Court's procedure on motions for summary judgment. As stated on the undersigned's [website](#) and in the Case Management and Scheduling Order ([Doc. 18](#)), a motion for summary judgment must include a memorandum of law in support and a specifically captioned section titled, "Statement of Material Facts," in a **single document** not to exceed 25 pages. Because Defendant's Motion does not follow this procedure, the Court will

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strike it. There are other problems with the Motion for Summary Judgment. The Statement of Disputed Facts ([Doc. 32](#)) cites S.D. Fla. Local Rule 56.1; the Motion for Summary Judgment refers to “this Court” as the Southern District of Florida ([Doc. 33 at 7](#)); and the Motion for Summary Judgment reads like a motion to dismiss: “As such, CRI cannot demonstrate a viable cause of action upon which relief can be granted.” ([Doc. 33 at 8](#)). Any refiled motion should fix these problems.

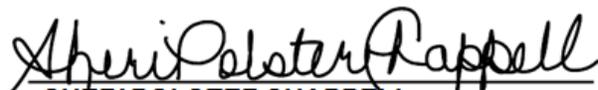
The Court takes this opportunity to reiterate another point from the undersigned’s [website](#) and the Case Management and Scheduling Order—only **one** motion for summary judgment may be filed by a party absent leave of Court.

Accordingly, it is now

ORDERED:

Defendant’s Motion for Summary Judgment ([Doc. 33](#)) is **STRICKEN**.

DONE and **ORDERED** in Fort Myers, Florida on September 8, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record