

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ANTHONY DENSON, JR.,

Plaintiff,

v.

Case No: 2:21-cv-497-JES-NPM

KEVIN RAMBOSK, MATTHEW
KINNEY, ALAN FLANAGAN,
DAVID MERCADO, JASON BOOTH,
RYAN TUTT, NATHAN KIRK,
JOESPH AMOROSI, and
BARTOLOME AMENGUAL,

Defendants.

OPINION AND ORDER

This matter comes before the Court on review of defendant Sheriff Rambosk's Motion For Judgment On The Pleadings Regarding The Only Remaining State Law Claims Against Him (And Memorandum of Law) (Doc. #82) filed on October 14, 2022. On November 7, 2022, the Court issued an Order to Show Cause why defendant Sheriff Rambosk's motion should not be treated as unopposed in light of Plaintiff Anthony Denson, Jr.'s failure to file a response. (Doc. #94.)

Plaintiff timely responded to the Order to Show Cause, stating that on November 10, 2022, Plaintiff's counsel engaged in communication with Defendant's counsel to discuss the Motion for

Judgment on the Pleadings¹. (Doc. #100, p. 1.) During this time, the parties agreed that each party would bear their own costs and fees associated with the dismissal of Counts 3, 4, 7, 8, and 16 of Plaintiff's Third Amended Complaint, related to Sheriff Rambosk, contingent upon Plaintiff's agreement not to oppose the Defendant's present motion. (Id.) In light of the foregoing, Plaintiff does not oppose Defendant's motion. (Id.)

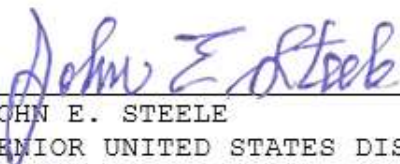
Accordingly, it is now

ORDERED:

1. Defendant Sheriff Rambosk's Motion For Judgment On Judgment On The Pleadings Regarding The Only Remaining State Law Claims Against Him (And Memorandum of Law) (Doc. #82) is hereby **GRANTED as unopposed** by Plaintiff Anthony Denson, Jr.
2. Counts 3, 4, 7, 8, and 16 are **DISMISSED with prejudice** as to Sheriff Rambosk only.
3. The parties shall bear their own costs and fees associated with the dismissal of Counts 3, 4, 7, 8, and 16 of the Third Amended Complaint as they relate to defendant Sheriff Rambosk.

¹ Defendant's motion addressed Counts 3, 4, 7, 8, and 16 of the Third Amended Complaint. (Doc. #82, p. 2.)

DONE AND ORDERED at Fort Myers, Florida, this 14th day of
November, 2022.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:
Counsel of record