Blow v. The State of Florida Doc. 4

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

JAMES ANTHONY BLOW, III,

Plaintiff,

v.	Case No.: 2:23-cv-1094-SPC-KCD
THE STATE OF FLORIDA,	
Defendant	

## **OPINION AND ORDER**

Before the Court is Plaintiff James Anthony Blow, III's Motion to Appeal Verdict of Guilt, and to Change Sunday Back to the First Day of the Week and from Off the Cross as the Last (Doc. 1), which the Court construes as a civil complaint. Blow is an inmate at the Brevard County Jail, and he brings this action on behalf of the sun. Blow argues the State of Florida violated the rights of our solar system's central celestial body while prosecuting its criminal case against Blow. The Court dismisses this action as frivolous. See Porter v. Governor of the State of Fla., 667 F. App'x 766, 767 (11th Cir. 2016) ("A lawsuit is frivolous if its claims involve factual contentions that are fanciful, fantastic, irrational, and/or delusional."). Because amendment would be futile, dismissal is with prejudice.

Accordingly, it is now

## **ORDERED:**

Plaintiff James Anthony Blow, III's complaint (Doc. 1) is **DISMISSED**with prejudice. The Clerk is directed to terminate any pending deadlines, enter judgment, and close this case.

**DONE** and **ORDERED** in Fort Myers, Florida on December 1, 2023.

SHERI POLSTER CHAPPELL UNITED STATES DISTRICT JUDGE

SA: FTMP-1

Copies: All Parties of Record