

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

JAMES S. PENDERGRAFT, IV,

Plaintiff,

-vs-

Case No. 6:11-cv-1116-Orl-31KRS

**STATE OF FLORIDA; AGENCY FOR
HEALTH CARE ADMINISTRATION;
PAM BONDI, in her capacity as Attorney
General for the State of Florida; LAURA
MACLAFFERTY, individually and in her
capacity as Unit Manager, Bureau of Health
Facility Regulation for the Administrative
Health Care Agency; and RICHARD
SALIBA, individually and in his capacity as
Assistant General Counsel of the
Administrative Health Care Agency,**

Defendants.

ORDER

This matter comes before the Court on the Motion for Reconsideration (Doc. 8) filed by the Plaintiff, James Pendergraft IV ("Pendergraft"). Pendergraft seeks reconsideration of this Court's order (Doc. 4), entered July 7, 2011, denying his motion for a temporary restraining order.

Previously, Pendergraft contended that a TRO was required because his license was set to expire July 5, 2011. (Doc. 2 at 3). In the motion filed July 22, 2011, he contends that, based on another document in his files, the true expiration date is July 23, 2011, requiring an immediate TRO. He offers no explanation for his failure to uncover this document earlier, or his failure to serve the defendants despite the Court's order, two weeks ago, to do so. Even if these issues had been

addressed, the same lack of diligence that doomed the original effort to procure a TRO would compel the Court to deny this motion for reconsideration.

In consideration of the foregoing, it is hereby

ORDERED that the Motion for Reconsideration (Doc. 8) is **DENIED**.

DONE and **ORDERED** in Chambers, Orlando, Florida on July 25, 2011.



GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party