

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

JAMES ANDREW STARKEY,

Plaintiff,

v.

Case No. 6:16-cv-4-Orl-37DAB

UNITED STATES DEPARTMENT OF
TREASURY; and STATE OF FLORIDA,

Defendants.

ORDER

This cause is before the Court on its own motion. On January 4, 2016, James Andrew Starkey filed a “Notice of Constitutional Challenge” against the U.S. Department of Treasury and the State of Florida. (Doc. 1 (“**Notice**”).) To the extent that Mr. Starkey intends for his Notice to serve as an operative complaint necessary to commence an action pursuant to Federal Rule of Civil Procedure 3, the Court finds that it suffers fatal deficiencies. Specifically, the Notice is noncompliant with the pleading standards of Rules 8(a) and 10(b).

Accordingly, it is hereby **ORDERED AND ADJUDGED** that the Notice of Constitutional Challenge (Doc. 1) is **DISMISSED WITHOUT PREJUDICE** with leave to amend. On or before Friday, **January 22, 2016**, James Andrew Starkey may refile a proper complaint consistent with the strictures in this Order and otherwise compliant with the Federal Rules of Civil Procedure.¹ Failure to timely file may result in this action being

¹ The Court encourages Defendant to make use of the resources available to *pro se* litigants on the Court’s website at http://www.flmd.uscourts.gov/pro_se/default.htm.

dismissed with prejudice without further notice.

DONE AND ORDERED in Chambers in Orlando, Florida, on January 12, 2016.




ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record