

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

GORDON LLOYD SALEEM, JR. ,

Plaintiff,

v.

Case No: 6:16-cv-1252-Orl-40TBS

THE UNITED STATES OF AMERICA,
PHIL ARCHER, SCOTT PERALA, BILL
SHELDON, CHRIS TEMPLE, JASON
WHITE, JOSEPH MOHR, KEVIN
MCCANN, TREVOR VELINOR and
JASON DENHAM,

Defendants.

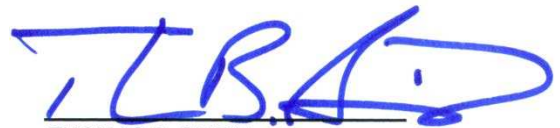
ORDER

This case comes before the Court without oral argument on Plaintiff's Motion to Strike Defendant Archer's Reply to Plaintiff's Response in Support of Federal Defendants' Motion to Dismiss and Alternative Motion for Summary Judgment (Doc. 50). Defendant Phil Archer has not filed a response to the motion and the time within to do so has expired. The Case Management and Scheduling Order governing the case provides that where a party fails to file a memorandum in opposition to a motion "the Court routinely grants the motion as unopposed." (Doc. 40 at 7). See also Foster v. The Coca-Cola Company, No. 6:14-cv-2102-Orl-40TBS, 2015 WL 3486008, at *1 (M.D. Fla. June 2, 2015); Jones v. Bank of America, N.A., 564 Fed. Appx. 432, 434 (11th Cir. 2014)¹ (citing Kramer v. Gwinnett Cnty., Ga., 306 F. sup.2d 1219, 1221 (N.D. Ga. 2004); Daisy, Inc. v. Polio Operations, Inc., No. 2:14-cv-564-FtM-38CM, 2015 WL 234251, at *1 (M.D. Fla.

¹ "Unpublished opinions are not considered binding precedent, but may be cited as persuasive authority." CTA11 Rule 36-2.

May 14, 2015) (when defendant did not respond court could consider motion to compel unopposed); Brown v. Platinum Wrench Auto Repair, Inc., No. 8:10-cv-2168-T-33TGW, 2012 WL 333808, at * 1 (M.D. Fla. Feb. 1, 2012) (after party failed to respond, court treated motion for summary judgment as unopposed). Now, the Court treats Plaintiff's motion as unopposed, the motion is **GRANTED**, docket entry 48 is **STRICKEN**, and the Clerk shall **REMOVE** it from the docket.

DONE and ORDERED in Orlando, Florida on April 4, 2017.



THOMAS B. SMITH
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties