

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

PAUL A. MITCHELL,

Plaintiff,

v.

Case No. 6:16-cv-1648-Orl-37DCI

NORTH CAROLINA MEDICAL BOARD;
PATRICK BAESTRIERI; SARAH
EARLY; KAREN MCGOVERN;
CHERYL HARA; ASHLEY M. KLEIN;
SADZI OLIVA; and DANIEL KELBER,

Defendants.

ORDER

This cause is before the Court on its own motion.

On September 20, 2016, Plaintiff initiated the instant action pursuant to Title VII of the Civil Rights Act of 1964. (Doc. 1 (“**Complaint**”).) Contemporaneously with the Complaint, Plaintiff filed motions to proceed *in forma pauperis* (Doc. 2 (“**IFP Motion**”)) and to temporarily seal the Complaint, IFP Motion, and a forthcoming motion for preliminary injunction (“**PI Motion**”) (Doc. 3 (“**Motion to Seal**”)).

On October 14, 2016, the Court denied the Motion to Seal on its merits. (Doc. 9 (“**October 14 Order**”).) Because the Motion to Seal stressed Plaintiff’s insistence on proceeding in a sealed action, the Court denied the IFP Motion without prejudice and granted Plaintiff leave to refile such motion in the event that he desired to continue in an open proceeding. (See Docs. 3, 4, 9.)

Plaintiff has not yet filed an IFP Motion, nor has he paid the required filing fee. As such, the PI Motion filed September 23, 2016, is premature and is due to be denied

without prejudice. Plaintiff may reassert such motion after he pays the requisite filing fee or is granted leave to proceed *in forma pauperis*.

Accordingly, it is hereby **ORDERED AND ADJUDGED** that Plaintiff's Motion for Preliminary Injunction (Doc. 5) is **DENIED WITHOUT PREJUDICE**.

DONE AND ORDERED in Chambers in Orlando, Florida, on October 20, 2016.




ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record