

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

WILLIAM A. RYAN, JOSEPH R. SAENZ,
JACK H. FADDIS, SR., DAVIS PORTALATIN,
FRED BOHLIG, LINCOLN G. McNEIL, SR.,
DAVID ADKINDS, JOSEPH PASSAFUME,
ANTHONY GIUGLIANO, BRENDA REDDEN,
WILLIAM TONER, CRAIG NEDBALL,
WILLIE HARRISON, DONALD MOYE, AND
JOSEPH HENDRICKS,

Plaintiffs,

v.

Case No. 8:12-cv-00918-EAK-TBM

AKAL SECURITY, INC.

Defendant.

_____ /

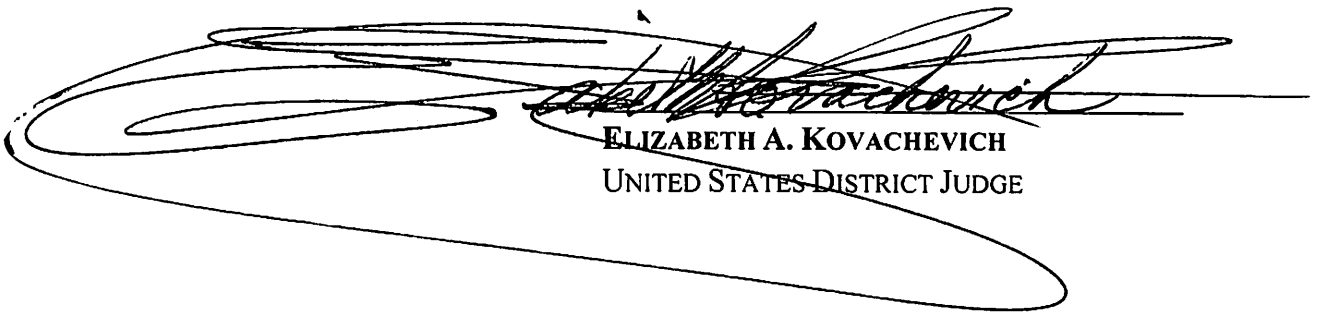
ORDER OF RECUSAL

This cause is before the Court sua sponte. A district court judge must recuse herself “in any proceeding in which [her] impartiality might reasonably be questioned.” 28 U.S.C. § 455 (2006); *see Microsoft Corp. v. United States*, 530 U.S. 1301, 1301 (2000). “Under § 455, ‘a judge is under an affirmative, self-enforcing obligation to recuse himself *sua sponte* whenever the proper grounds exist.’” *United States v. Disch*, 347 F. App’x 421, 422 (11th Cir. 2009) (quoting *United States v. Kelly*, 888 F.2d 732, 744 (11th Cir.1989)). One of the parties to this matter, Joseph R. Saenz, has been employed in the undersigned’s courtroom as a Court Security Officer for the past twelve years. Due to the lengthy personal and professional relationship between the undersigned and Mr. Saenz, a party to this case, the Court must take heed of its

obligation to avoid all cases in which its “impartiality might reasonably be questioned” and step aside from adjudicating the matter at hand. Accordingly, it is

ORDERED that the undersigned shall recuse herself from the instant matter. The Clerk of Court shall reassign the case to another judge in accordance with established procedures.

DONE AND ORDERED in Chambers, in Tampa, Florida this 26th of April, 2012.



ELIZABETH A. KOVACHEVICH
UNITED STATES DISTRICT JUDGE

Copies to: All parties and counsel of record.