

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

REGIONS BANK, an Alabama state chartered
bank, as successor-in-interest to AmSouth Bank,

Plaintiff,

v.

CASE NO: 8:13-cv-2627-T-26TBM

BING CHARLES W. KEARNEY, JR., and
TONYA NUHFER KEARNEY,

Defendants.

ORDER

UPON DUE CONSIDERATION of the procedural history of this case, it is **ordered and adjudged** that the Unopposed Joint Motion to Substitute Party Plaintiff and Amend Case Caption (Dkt. 208) is **granted**. FTBB, LLC, a Delaware limited liability company, is substituted as Plaintiff in this case in place of Regions Bank, an Alabama state chartered bank, as successor in interest to AmSouth Bank. The Clerk shall amend the case caption to reflect this substitution.

The Court puts the newly substituted Plaintiff on notice that the fact that the party Plaintiff in this case has changed will not be grounds for a continuation of the non-jury trial of this case which the Court will schedule for a date certain in June at the status conference scheduled for May 14, 2015, at 9:30 a.m. The Court fully expects the new Plaintiff to be prepared to try this case when set for trial in June.

The Court also puts the newly substituted Plaintiff on notice pursuant to Local Rule 2.03(e) that as a corporate entity it cannot proceed *pro se* but must be represented by counsel authorized to practice before this Court. Consequently, newly substituted Plaintiff shall cause such counsel to file a notice of appearance on or before the status conference, failing which this case will be subject to dismissal without prejudice. See Palazzo v. Gulf Oil Corp., 764 F.2d 1381, 1384-86 (11th Cir. 1985).

In order to notify the newly substituted Plaintiff of the entry of this order, the Clerk is directed to send a copy of this order by electronic mail to the attorney listed as the newly substituted Plaintiff's attorney on the motion: Frank Charles Miranda, frank@fcmlaw.com. The Court will also send a copy of this order by facsimile to this attorney.

Finally, Regions Bank and Anthony & Partners, LLC, shall have no further claim or responsibility in this case.

DONE AND ORDERED at Tampa, Florida, on May 6, 2015.

s/Richard A. Lazzara
RICHARD A. LAZZARA
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:

Counsel of Record

Frank Charles Miranda, Esq., by facsimile and by electronic mail