

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ANDREW LONG,

Plaintiff,

v.

Case No. 8:16-cv-3006-T-33AEP

JUSTIN D. JACOBSON, P.A., ET AL.,

Defendants.

_____ /

ORDER

This matter is before the Court pursuant to Defendant Justin D. Jacobson, P.A.'s LLC's Dispositive Motion to Dismiss (Doc. # 12), which was filed on December 29, 2016. The Motion seeks dismissal of the Complaint with prejudice. Plaintiff Andrew Long, who is represented by counsel, failed to file a response in opposition to the Motion within the time parameters of the Local Rules and the Federal Rules of Civil Procedure. Local Rule 3.01(b), M.D. Fla., explains, "Each party opposing a motion or application shall file within fourteen (14) days after service of the motion or application a response that includes a memorandum of legal authority in opposition to the request, all of which the respondent shall include in a document not more than twenty (20) pages." Recently, Federal Rule of Civil Procedure 6 was amended to state that three additional days for mailing are no longer allocated when a motion is filed electronically, such as in

the case of the present Motion to Dismiss. Accordingly, Plaintiff's response to the Motion to Dismiss was due on January 12, 2017. Thus, on the present record, this Court considers Defendant's Motion to Dismiss as an unopposed motion. However, in the instance that Plaintiff does, in fact, oppose the Motion, Plaintiff is directed to file a response in opposition to the Motion by **January 19, 2017**. Absent a response by Plaintiff, however, this Court will be inclined to grant the Motion as unopposed.

Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

In the instance that Plaintiff opposes Defendant's Motion to Dismiss (Doc. # 12), Plaintiff is directed to file a response in opposition to the Motion by **January 19, 2017**.

DONE and ORDERED in Chambers, in Tampa, Florida, this 17th day of January, 2017.

