

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

JACKIE MICHAEL BELL,

Plaintiff,

v.

CASE NO. 1:09-cv-00176-MP-AK

LISA ECHEVERRI, FLORIDA DEPARTMENT OF REVENUE, KATHLEEN SEBELIUS,  
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Defendants.

**ORDER**

Previously, this Court entered an order adopting the Report and Recommendation and dismissing the Amended Complaint. Subsequent to that order, the Plaintiff filed a motion for extension of time, claiming that he had not received the Report and Recommendation. The Court vacated the order adopting the Report and Recommendation and allowed Plaintiff to file an objection to the Report and Recommendation. Instead of filing an objection, however, Plaintiff moved to file an amended complaint.

In the proposed amended complaint, Plaintiff more fully explains the arguments he made earlier - that Florida's child support debt collection system is criminal in nature but governed by civil procedure; and that allowing the state to require him to pay child support while simultaneously denying him visitation or custody of the children violates due process.

Having reviewed the proposed complaint, the Court concludes that even if all factual allegations of the complaint were proven, Plaintiff still fails to allege how this violates any right

guaranteed by federal statutory or constitutional law. Accordingly, it is hereby

**ORDERED AND ADJUDGED:**

1. The motion to amend, Doc. 12, is denied as amendment would be futile. The motion at Doc. 15 to serve the complaint is therefore also denied.
2. The Report and Recommendation of the Magistrate Judge is adopted and incorporated herein.
3. This case is dismissed and the Clerk is directed to close the file.

**DONE AND ORDERED** this 16th day of March, 2011

*s/Maurice M. Paul*  
Maurice M. Paul, Senior District Judge