

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

BRANDON L. SPICER-BANKS,
Plaintiff,

vs.

Case No. 3:09cv425/WS/EMT

D. ELLIS, et al.,
Defendants.

ORDER

This cause is before the court on Plaintiff's "Motion to Dismiss" (Doc. 17). Plaintiff states he wishes to strike a memorandum of law he previously sent to the court for filing, and he requests that the court return the document to him (*id.*). The court notes that on October 27, 2009, the court directed the clerk to return Plaintiff's memorandum of law, as well as other documents, to him without filing due to the deficiencies noted in the order (Doc. 12). Therefore, Plaintiff's request to strike the document and return it to him is moot.

Accordingly, it is **ORDERED**:

Plaintiff's "Motion to Dismiss" (Doc. 17) is **DENIED as moot**.

DONE AND ORDERED this 9th day of November 2009.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE