

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

ADDIS T. WALKER,

Plaintiff,

v.

CASE NO.: 4:11cv68-SPM/WCS

CHIEF JUSTICE CHARLES T.
CANADY, et al.,

Defendants.

_____ /

ORDER DENYING MOTION FOR TEMPORARY RESTRAINING ORDER

Pending before the Court is Plaintiff’s Emergency Motion for Temporary Restraining Order. Doc. 4. Plaintiff is seeking to prevent the Florida Supreme Court from proceeding with an indirect criminal contempt hearing scheduled to be heard by a referee on Monday, February 21, 2011, at 9:00 a.m. For the following reasons, the motion will be denied.

1. This case was filed on Friday, February 18, 2011, at 3:11 p.m. Eastern Standard Time. The Emergency Motion for Temporary Restraining Order was filed later that day at 4:31 p.m. Plaintiff did not provide the Court with sufficient time to consider the matter, and it has become moot because the time for the hearing has passed. See Nat’l Lawyers Guild Univ. of Tex. Chapter v. Bd.

of Regents of Univ. of Tex. Sys., 490 F.2d 97 (suit to require meeting rendered moot where time for meeting had long since passed).

2. Plaintiff has not demonstrated extraordinary circumstances that render the state court incapable of fairly and fully adjudicating the issues before it so as to justify interference with the state court proceedings. Younger v. Harris, 401 U.S. 37, 46 (1971); Kugler v. Helfant, 421 U.S. 117, 124-25 (1975).

3. To the extent Plaintiff is asking this Court to review the Supreme Court of Florida's January 4, 2011, order denying his petition for writ of prohibition and motion to disqualify the Florida Supreme Court (doc. 5-27), there is no jurisdiction to do so. Doe v. Fla. Bar, 640 F.3d 1336, 1341 (11th Cir. 2011) (under Rooker-Feldman doctrine, a United States District Court has no jurisdiction to review a decision of the Florida Supreme Court).

Based on the foregoing, it is

ORDERED AND ADJUDGED: Plaintiff's Emergency Motion for Temporary Restraining Order, doc. 4, is denied.

DONE AND ORDERED this 4th day of March, 2011.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge