

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 24-24647-CV-WILLIAMS

MADELIN LORENZO,

Plaintiff,

v.

TESSA LEVY, *et al.*,

Defendants.

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**ORDER**

**THIS MATTER** is before the Court on Chief Magistrate Judge Jonathan Goodman's Report and Recommendations (DE 6) ("**Report**") recommending *sua sponte* dismissal of Plaintiff Madelin Lorenzo's ("**Lorenzo**") Complaint (DE 1) without prejudice. In the Report, Judge Goodman recommends that the Complaint be dismissed or failure to state a claim. (DE 6 at 2.) Specifically, Judge Goodman finds that Plaintiff has: (1) failed to clearly identify the relevant state/city/county laws implicated in this action; (2) failed to identify which counts are asserted against which Defendants; and (3) failed to specify what each Defendant did or did not do. (*Id.* at 7.) Judge Goodman further finds that Plaintiff has failed to adequately plead her FLSA claim and the Court's subject matter jurisdiction. (*Id.* at 9.) Ultimately, Judge Goodman recommends that the Court *sua sponte* dismiss the Complaint without prejudice and deny Plaintiff's pending Motion to Proceed *In Forma Pauperis* (DE 3) as moot without prejudice. (*Id.* at 12.)

Plaintiff did not file objections to the Report but filed a Motion for Extension of Time to File Amended Complaint ("**Motion for Extension of Time**"). (DE 10.) It is

unclear from the Motion for Extension of Time whether Plaintiff seeks more time to file an amended complaint or to object to the Report. Nonetheless, upon a careful review of the Report, the record, and applicable law, it is **ORDERED AND ADJUDGED** as follows:

1. Judge Goodman's Report (DE 6) is **AFFIRMED AND ADOPTED**.
2. Plaintiff's Motion for Extension of Time to File Amended Complaint (DE 10) is **GRANTED**.
3. Plaintiff's Complaint (DE 1) is **DISMISSED WITHOUT PREJUDICE**. If Plaintiff believes she can cure the deficiencies in the Complaint described in the Report, she must do so by filing an amended complaint **on or before February 10, 2025**. Failure to do so will result in dismissal of this action.
4. Plaintiff's Motion to Proceed *In Forma Pauperis* (DE 3) is **DENIED AS MOOT WITHOUT PREJUDICE**. If Plaintiff files an amended complaint, she may file a renewed motion to proceed *in forma pauperis*.
5. Plaintiff's Motion for Referral to the Volunteer Attorney Program (DE 9) is **GRANTED**. However, Plaintiff must comply with Court orders and deadlines even if she is unable to secure counsel.

**DONE AND ORDERED** in Chambers in Miami, Florida, on this 27th day of January, 2025.

  
KATHLEEN M. WILLIAMS  
UNITED STATES DISTRICT JUDGE

**Copies Furnished To:**

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