

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

JAMEKA K. EVANS,

Plaintiff,

v.

GEORGIA REGIONAL HOSPITAL;  
CHARLES MOSS; LISA CLARK;  
and JAMEKIA POWERS,

Defendants.

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CV 415-103

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O R D E R

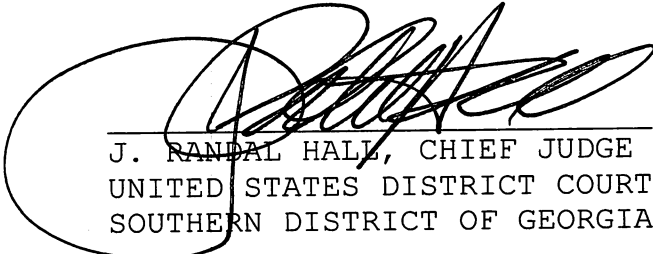
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On April 23, 2015, Plaintiff, proceeding *pro se*, filed a complaint alleging employment discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et. seq. ("Title VII"). (Doc. 1.) Plaintiff also sought leave to proceed *in forma pauperis*. (Doc. 2.) After conducting a review of Plaintiff's complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), the United States Magistrate Judge entered his Report and Recommendation dated September 10, 2015 (the "R&R"), in which he reported and recommended, *inter alia*, the dismissal with prejudice of Plaintiff's sexual orientation discrimination claim, gender non-conformity discrimination claim, and retaliation claim - all without leave to amend - for failure to state a claim upon which relief could be granted. (Doc. 4.) On October 29, 2015, this Court adopted the R&R and, *inter alia*, dismissed Plaintiff's claims without

leave to amend (the "Dismissal Order"). (Doc. 12.) Plaintiff subsequently appealed the Dismissal Order to the United States Court of Appeals for the Eleventh Circuit. (Doc. 14.) The Eleventh Circuit has now affirmed in part and vacated in part the Dismissal Order, and has remanded this action to this Court for further proceedings consistent with the Eleventh Circuit's Opinion dated March 10, 2017.<sup>1</sup> (Docs. 20, 22.)

Accordingly, **IT IS HEREBY ORDERED** that the Mandate of the Eleventh Circuit is made the Order of this Court. **IT IS FURTHER ORDERED** that Plaintiff is **GRANTED LEAVE TO AMEND** her complaint as to her gender non-conformity claim. If Plaintiff wishes to proceed forward with this case, Plaintiff **SHALL** file her forthcoming amended complaint **by the close of business on Wednesday, August 9, 2017**; Plaintiff's failure to file her forthcoming amended complaint within this time frame as directed may result in the dismissal of this action with prejudice without further notice.

**ORDER ENTERED** at Augusta, Georgia, this 24<sup>th</sup> day of July, 2017.



J. RANDAL HALL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

<sup>1</sup> Specifically, the Eleventh Circuit affirmed this Court's dismissal of Plaintiff's sexual-orientation discrimination claim and retaliation claim, but vacated that portion of the Dismissal Order which dismissed Plaintiff's gender non-conformity claim without leave to amend. (Doc. 20, at 8-19.)