

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

2013 MAR 11 PM 2:19

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS, FLORIDA

RANDY A. SCOTT,

Plaintiff,

v.

Case No: 2:13-cv-157-Ftm-99DNF

LAWRENCE NORMAN YELLON, BOB
MUSSER, H. ERIC VENNES, LANCE
RANDALL, RONALD R. EZELL,
STEVEN D. GLENN, JILLINA A.
KWIATKOWSKI, RUTH A. REYNOLDS,
GARY CROWE, NATIONAL
ASSOCIATION OF PROFESSIONAL
PROCESS SERVERS, PAUL
TAMAROFF, FLORIDA ASSOCIATION
OF PROFESSIONAL PROCESS
SERVERS and JOHN AND/OR JANE DOE
1-3,

Defendants.

ORDER

This cause is before the Court on Randy A. Scott's request to file an Affidavit of Indigency under seal received on March 4, 2013. The Plaintiff, Randy A. Scott is requesting that his Affidavit of Indigency not be filed in the public record. The Plaintiff has failed to comply with Local Rule 1.09, of the Local Rules for the Middle District of Florida, and therefore, the Court will deny his request. Local Rule 1.09 provides as follows that to have a document filed under seal, a party must provide the following:

(i) an identification and description of each item proposed for sealing; (ii) the reason that filing each item is necessary; (iii) the reason that sealing each item is necessary; (iv) the reason that a means other than sealing is unavailable or unsatisfactory to preserve the interest advanced by the movant in support of the seal; (v) a statement of the proposed duration of the seal; and (vi) a memorandum of legal authority supporting the seal. The movant shall not file or otherwise

tender to the Clerk any item proposed for sealing unless the Court has granted the motion required by this section.

The Plaintiff has failed to include any of the requirements as to why this document must be filed under seal. Therefore, the Court will deny the request to file it under seal.

IT IS HEREBY ORDERED:

- 1) Request to file Affidavit of Indigency Under Seal received March 4, 2013 is **DENIED.**
- 2) The Clerk is directed to file the Request to Seal Affidavit in the public record, and return the Affidavit of Indigency to the Plaintiff.
- 3) Within fourteen (14) days from the date of this Order, the Plaintiff shall file an Affidavit of Indigency in the public record or pay the filing fee for this action. If the Plaintiff fails to file an Affidavit of Indigency or fails to pay the filing fee within this time period, the Court will recommend that this action be dismissed.

DONE and ORDERED in Fort Myers, Florida on March 11th, 2013.



DOUGLAS N. FRAZIER
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties