

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

NORAYMA MULLER-DAVILA,

Plaintiff,

v.

Case No.: 8:17-cv-505-T-26AAS

**CARE PLACEMENT HOME HEALTH
AGENCY, INC.,**

Defendant.

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ORDER

Under 28 U.S.C. § 455, a judge shall disqualify herself in any proceeding in which her impartiality might reasonably be questioned and where the judge has personal knowledge of disputed evidentiary facts concerning the proceeding. 28 U.S.C. § 455(a) & (b)(1). When the proper grounds exists, a judge has an affirmative and self-enforcing obligation to recuse herself sua sponte. *United States v. Kelly*, 888 F.2d 732, 744 (11th Cir. 1989). Here, the undersigned oversaw a mediation conference between the parties. During the mediation, at which the parties reached an impasse, the undersigned became privy to disputed evidentiary facts and other confidential information, thus warranting recusal. 28 U.S.C. § 455(b)(1). Based on the foregoing, the Clerk is directed to reassign this case to another magistrate judge by random draw and to provide notice to the parties of the newly designated magistrate judge.

ORDERED in Tampa, Florida on this 14th day of June, 2018.



AMANDA ARNOLD SANSONE
United States Magistrate Judge