

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

KIRSHA BROWN,

Plaintiff,

v.

Case No: 6:17-cv-1521-Orl-40KRS

FAMILY DOLLAR CORPORATION,

Defendant.

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**ORDER**

This cause comes before the Court upon Defendant Family Dollar Corporation's Motion to Dismiss Plaintiff's Second Amended Complaint for Insufficient Service of Process (Doc. 56 (the "**Motion**")), filed July 18, 2018. Plaintiff, who is proceeding *pro se*, has not responded and the time to do so has passed. See Local Rule 3.01(b) (requiring that a party opposing a motion file a response within fourteen days after receiving service of the motion).

A *pro se* plaintiff "is subject to the relevant law and rules of the court, including the Federal Rules of Civil Procedure." *Moon v. Newsome*, 863 F.2d 835, 837 (11th Cir. 1989). Therefore, parties proceeding *pro se* must follow the Local Rules for the Middle District of Florida, the Federal Rules of Civil Procedure, and applicable procedural and substantive law. *Pro se* plaintiffs "must provide the court with the Defendant's mailing address where service of process may be effected," and update this address when it changes. *Brown v. Yates*, No. 6:14-cv-748-Orl-41GJK, 2014 WL 12779559, at \*2 (M.D. Fla. July 16, 2014) (Report & Recommendation).

It is not clear that Plaintiff received the Motion, as she has filed two notices of change of address since the Motion was filed. (Docs. 57, 60). To the extent that Plaintiff was not on notice of the Motion, the Plaintiff is to blame for failing to maintain a current mailing address with CM/ECF.

In the absence of a response, the Court finds that the Motion is due to be granted as unopposed. Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Defendant's Motion to Dismiss (Doc. 56) is **GRANTED**.
2. The Second Amended Complaint (Doc. 36) is **DISMISSED WITHOUT PREJUDICE**.
3. On or before Monday, August 27, 2018, Plaintiff may file a third amended complaint. Failure to timely file will result in dismissal of this action with prejudice.

**DONE AND ORDERED** in Orlando, Florida on August 16, 2018.

  
PAUL G. BYRON  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Parties