

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

L. YVONNE BROWN,

Plaintiff,

v.

Case No: 2:18-cv-157-FtM-29MRM

FLORIDA GULF COAST
UNIVERSITY BOARD OF
TRUSTEES, KEN KAVANAGH,
individually and in official
capacity, KARL SMESKO,
individually and in official
capacity, RODERICK ROLLE,
individually and in official
capacity, and KELLY BROCK,
individually and in official
capacity,

Defendants.

ORDER

This matter comes before the Court on review of the file. On August 9, 2018, plaintiff filed a Motion for Student Dispute Resolution Proceedings. (Doc. #40.) In it, plaintiff requests that the Court enter an order finding that Florida Gulf Coast University violated plaintiff's due process rights under the Fourteenth Amendment by failing to adhere to the policies set forth in Florida Gulf Coast University's student handbook. Since filing the motion, plaintiff has filed a First Amended Complaint (Doc. #43) and a Second Amended Complaint (Doc. #77) in which she similarly asserts that Florida Gulf Coast University violated her due process

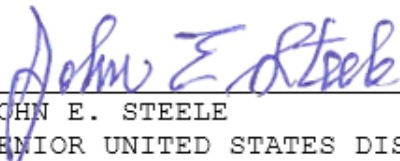
rights by failing to comply with the university's policies and procedures. Thus, the Court finds plaintiff's Motion for Student Dispute Resolution Proceedings is rendered moot by her filing the two subsequent complaints which encompass the same subject matter.

Accordingly, it is hereby

ORDERED:

Plaintiff's Motion for Student Dispute Resolution Proceedings (Doc. #40) is **DENIED as moot**.

DONE and ORDERED at Fort Myers, Florida, this 19th day of March, 2019.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:
Parties and Counsel of Record