

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

JONATHON RUSSO,

Plaintiff,

Case No. 3:18-cv-267-J-34PDB

VS.

MEDICREDIT, INC., et al.,

Defendants.

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ORDER

THIS CAUSE is before the Court sua sponte. Plaintiff initiated the instant action on February 20, 2018, by filing a two-count Complaint (Doc. 1). On February 23, 2018, the Court struck the Complaint as an impermissible shotgun pleading, and directed Plaintiff to file an amended complaint. See Order (Doc. 3). On March 8, 2018, Plaintiff filed an Amended Complaint (Doc. 5), which corrects the shotgun nature of the pleadings. However, in the February 23, 2018 Order, the Court also noted that Plaintiff had named fictitious parties, “Does 1-10,” as Defendants to this action, and cautioned Plaintiff that, with limited exception, “fictitious-party pleading is not permitted in federal court.” See Order at 2 n.1 (quoting Richardson v. Johnson, 598 F.3d 734, 738 (11th Cir. 2010)). As such, the Court instructed Plaintiff to either omit the Doe Defendants from the Amended Complaint or “provide additional allegations specifically describing who they are such that they may be identified for service of process.” See Order at 2 n.1 (citing Dean v. Barber, 951 F.2d 1210, 1215-16 (11th Cir. 1992)). Plaintiff did neither. See Amended Complaint ¶ 5. In light of the foregoing, the Court will direct Plaintiff to show cause why the Doe Defendants

should not be dismissed for the reasons stated in the Court's February 23, 2018 Order.

See Order at 2 n.1. Accordingly, it is

ORDERED:

Plaintiff Jonathon Russo is directed to **SHOW CAUSE** by written response no later than **March 26, 2018**, why Defendants Does 1-10 should not be dismissed. Plaintiff is cautioned that failure to respond may result in dismissal of Defendant Does without further notice.

DONE AND ORDERED at Jacksonville, Florida on March 12, 2018.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record
Pro Se Parties