

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

GREAT WEST CASUALTY COMPANY,

Plaintiff,

Case No. 3:18-cv-889-J-34PDB

vs.

SYLVIA PANEBIANCO, as personal
representative of the Estate of Joseph
Amaral, et al.,

Defendants.

_____ /

ORDER TO SHOW CAUSE

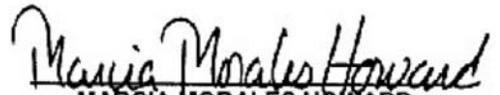
This matter is before the Court sua sponte. Upon review of Plaintiff's Complaint for Declaratory Judgment (Doc. 1; Complaint), it appears that this action was misfiled in the Jacksonville Division of the United States District Court for the Middle District of Florida. Pursuant to Local Rule 1.01(c), Local Rules, United States District Court, Middle District of Florida (Local Rule(s)), "[a]ll civil proceedings of any kind shall be instituted in that Division encompassing the county or counties having the greatest nexus with the cause, giving due regard to the place where the claim arose and the residence or principal place of business of the parties." Additionally, Local Rule 1.02(e) provides that "[t]he Court may, within its discretion, . . . order that any case, civil or criminal, be transferred from one Division to any other Division for trial[.]"

Upon review of the Complaint, it appears that the counties having the greatest nexus with this cause are Sumter and Marion Counties, which are encompassed by the Ocala

Division of this Court.¹ Specifically, five of the six Defendants are alleged to be citizens of either Marion or Sumter County. See Complaint ¶¶ 2-6. The state court negligence action out of which this declaratory judgment action arises is pending in Sumter County, and the underlying motor-vehicle accident occurred in Sumter County. See Complaint ¶ 9, Ex. B ¶¶ 6-8. The Complaint does not set forth any relation to a location encompassed by the Jacksonville Division.

Accordingly, Plaintiff is **DIRECTED** to **SHOW CAUSE** by a written response filed on or before **August 3, 2018**, why this case should remain pending in the Jacksonville Division and not be transferred to the Ocala Division pursuant to Local Rule 1.02(e).

DONE AND ORDERED in Jacksonville, Florida, this 20th day of July, 2018.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record

¹ Local Rule 1.02(b)(2) provides: "The Ocala Division shall consist of the following counties: Citrus, Lake, Marion and Sumter. The place of holding court shall be Ocala."