

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ROBERT A. LEE, JR. and LEE PLAZA  
LLC, individually

Plaintiffs,

v.

Case No: 2:18-cv-648-FtM-99MRM

AMERICAN EQUITY INVESTMENT  
LIFE INSURANCE COMPANY,  
MOORING FINANCIAL  
CORPORATION and MOORING  
CAPITAL FUND, LLC,

Defendants.

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**ORDER**<sup>1</sup>

This case comes before the Court upon review of the file. On February 5, 2019, the Court dismissed Plaintiffs Robert A. Lee, Jr. and Lee Plaza, LLC's Amended Complaint ([Doc. 19](#)) without prejudice for lack of subject matter jurisdiction. ([Doc. 65](#)). The Court permitted Plaintiffs to file a second amended complaint on or before February 12, 2019. ([Id. at 1](#)). And, crucial here, the Court stated "[f]ailure to do so will result in the Court dismissing this case without further notice." ([Id.](#)). The deadline to file a second

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<sup>1</sup> Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

amended complaint to establish this Court's jurisdiction has expired and no amended complaint has been filed.

Accordingly, it is now

**ORDERED:**

The Clerk is **DIRECTED** to dismiss this case without prejudice for lack of subject matter jurisdiction, terminate all deadlines, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 19th day of February, 2019.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record