

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DONALD JONES,

Plaintiff,

v.

Case No: 2:18-cv-649-FtM-38CM

BANK OF AMERICA and
REVERSE MORTGAGE
SOLUTIONS, INC.,

Defendants.

ORDER

This matter comes before the Court upon review of Plaintiff's Motion to Add Exhibit to His Motion (Doc. 18) filed on November 14, 2018 and Plaintiff's Motion to Explain the Delay Case Order and Track Two Notice (Doc. 20) filed on November 15, 2018. In the first motion, Plaintiff seeks to add an exhibit to his motion filed on November 13, 2018, and states he erred in initially failing to include the exhibit with the motion. Doc. 18; *see* Doc. 14. The proposed exhibit is an Order entered in another case in this Court on September 7, 2018. *See* Doc. 18-1 at 1-2. Plaintiff did, however, include the exhibit with his original motion filed on November 13, 2018, thus no supplement to the motion is required. *See* Doc. 14 at 2-3.

The second motion requests that the Court explain why the Related Case Order and Track Two Notice was entered on the docket, but Plaintiff did not receive it in the mail until November 10, 2018. Doc. 20. Plaintiff attaches to the motion a letter from the United States Postal Service dated November 14, 2018 apologizing to

Plaintiff for delivering a piece of mail late and an envelope with the Court's return address with the words, "was put in wrong box" written on it.¹ *See* Doc. 20-1 at 3-4. Thus, it appears the Related Case Order and Track Two Notice arrived late due to a United States Postal Service error. Plaintiff's motion also attaches his completed Notice of Pendency of Other Actions and Certificate of Interested Persons, which were originally due on October 23, 2013. *See* Doc. 20-1 at 1-2; Docs. 5, 6. Due to the apparent mix-up at the Postal Service, to the extent Plaintiff's second motion requests it, the Court will excuse the late filing and deem Plaintiff's Notice of Pendency of Other Actions and Certificate of Interested Persons as timely filed.

ACCORDINGLY, it is

ORDERED:

1. Plaintiff's Motion to Add Exhibit to His Motion (Doc. 18) is **DENIED as moot.**

2. Plaintiff's Motion to Explain the Delay Case Order and Track Two Notice (Doc. 20) is **GRANTED.** Plaintiff's Motion is granted to the extent that Plaintiff's Notice of Pendency of Other Actions and Certificate of Interested Persons are deemed timely filed. The Clerk is directed to file Plaintiff's Notice of Pendency of Related Actions (Doc. 20-1 at 1) and Certificate of Interested Persons (Doc. 20-1 at 2) as separate docket entries.

¹ This would appear to have been written by an employee of the Postal Service to explain the delay.

DONE and **ORDERED** in Fort Myers, Florida on this 19th day of November,
2018.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record
Pro se parties