

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

SAMUEL TURNER and TAMMY
TURNER,

Plaintiffs,

v.

Case No: 6:18-cv-1165-Orl-40TBS

BEHAR, GUTT, & GLAZER, P.A. and
COLLINS ASSET GROUP, LLC,,

Defendants.

_____ /

ORDER

On September 18, 2018, Defendant Behar, Gutt, & Glazer, P.A. moved to dismiss the Amended Complaint. (Doc. 16). Plaintiffs' response was due on or before **Tuesday, October 2, 2018**. See Local Rule 3.01(b) (requiring that a party opposing a motion file a response within fourteen days after receiving service of the motion). Under Local Rule 3.01(b), such response must include a memorandum of legal authority not to exceed twenty pages in length. On the day of the deadline, Plaintiffs moved for an extension of time to respond to Defendant's motion, stating that Plaintiffs "require[d] more time to study the facts and law." (Doc. 17, pp. 1–2). Plaintiffs' motion was granted, and the Court set October 12, 2018, as the new deadline to respond. (Doc. 18). To date, Plaintiffs have not responded to the Motion to Dismiss.

In the absence of a response, the Court finds that the motion to dismiss is due to be granted as unopposed. Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Defendant Behar, Gutt, & Glazer, P.A.'s Motion to Dismiss Plaintiff's Amended Complaint (Doc. 16) is **GRANTED**.

2. The Amended Complaint (Doc. 10) is **DISMISSED WITHOUT PREJUDICE**.
3. On or before **Monday, October 29, 2018**, Plaintiffs may file a second amended complaint. Failure to timely file will result in dismissal of this action with prejudice as to Defendant, Behar, Gutt, & Glazer, P.A.
4. Defendant Collins Asset Group, LLC's Motion to Dismiss (Doc. 19) is **DENIED AS MOOT**.

DONE AND ORDERED in Orlando, Florida on October 15, 2018.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties