

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

SHAWN BURNS,

Plaintiff,

v.

Case No: 6:19-cv-9-Orl-28KRS

**MOIRA LOZADA and PARKER
BELLAIRE,**

Defendants.

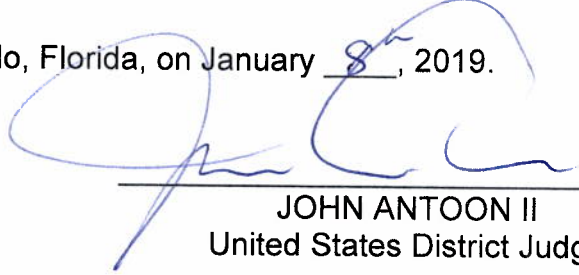
ORDER

Shawn Burns filed this case in state court against Moira Lozada and Parker Bellaire—employees of the Transportation Security Administration—asserting several defamation claims. (Compl., Doc. 1-4). Defendants removed the case to this Court pursuant to 28 U.S.C. §§ 1442(a)(1), 1446, and 2679(d)(1) and (2). (Notice of Removal, Doc. 1).

Section 2679(d)(2) of Title 28 of the United States Code provides for removal to federal district court of an action commenced in state court “[u]pon certification by the Attorney General that the defendant employee was acting within the scope of his office or employment at the time of the incident out of which the claim arose.” 28 U.S.C. § 2679(d)(2). Further, the action “shall be deemed to be an action against the United States under the provisions of [Title 28] . . . and the United States shall be substituted as the party defendant.” *Id.* The United States has filed a Notice of Substitution (Doc. 5) under this provision, attaching certification by the United States Attorney (Doc. 5-1), to whom certification authority has been delegated, see 28 C.F.R. § 15.4.

Accordingly, it is **ORDERED** that the United States is hereby substituted as the sole Defendant in this case. The Clerk is directed to terminate Defendants Lozada and Bellaire as parties to this case.

DONE and **ORDERED** in Orlando, Florida, on January 8th, 2019.



JOHN ANTOON II
United States District Judge

Copies furnished to:
Counsel of Record