

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

DERICK EDWARDS,

Plaintiff,

v.

Case No.: 2:19-cv-711-SPC-NPM

GUILLERMO MONMANY,  
JAMES HEUGLIN, BRIAN  
RHOTON and CARMINE  
MARCENO,

Defendants.

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

Before the Court is Plaintiff Derick Edwards' "Request for a Court Order and/or Assistance." ([Doc. 220](#)). The Court denies Edwards' request.

This is an excessive force case. Police stopped Edwards for making a wide right turn.<sup>2</sup> During the stop, a struggle ensued. That struggle formed the basis for Edwards' claims of excessive force, battery, intentional infliction of emotional distress, malicious prosecution, and *Monell* claims<sup>3</sup>. No claim

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<sup>1</sup> Disclaimer: Papers hyperlinked to CM/ECF may be subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or their services or products, nor does it have any agreements with them. The Court is not responsible for a hyperlink's functionality, and a failed hyperlink does not affect this Order.

<sup>2</sup> This turn would violate [Florida Statute 316.151\(1\)\(a\)](#). It is a noncriminal traffic infraction.

<sup>3</sup> *Monell* and its progeny establish when local governments may be sued under 42 U.S.C. § 1983. [Monell v. Dep't of Soc. Servs. of City of New York, 436 U.S. 658 \(1978\)](#).

challenged the validity of the original traffic stop. After a thorough review of the evidence including body cam footage of the stop, the Court granted Defendants' Motion for Final Summary Judgment. ([Doc. 219](#)).

The same day the Court granted Defendants' Motion for Final Summary Judgment, the Court received Edwards' pending request to allow his wife to send him legal mail he claims will support his position. ([Doc. 220](#)). The Court must deny Edwards' request.

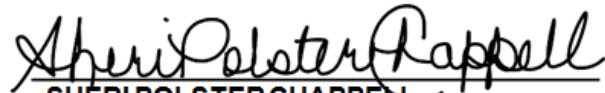
The Court already granted Defendants' Motion for Summary Judgment and Edwards' case is closed. ([Doc. 219](#)). It is unclear what information is in the legal mail or how it relates to Edwards' claims. In recent filings, Edwards seems focused on trying to show the officers did not have a good reason for stopping his car. ([Doc. 218](#); [Doc. 220](#)). But that was never one of Edwards' many claims – Edwards' claims center on the alleged excessive force at the traffic stop and resulting arrest, not the validity of the original stop. Any information Edwards seeks unrelated to his claims would not have affected the Court's decision on Defendants' Motion for Summary Judgment.

Accordingly, it is now

**ORDERED:**

Plaintiff Derick Edwards' Request for a Court Order and/or Assistance ([Doc. 220](#)) is **DENIED**.

**DONE** and **ORDERED** in Fort Myers, Florida on January 13, 2023.

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

Copies: All Parties of Record