

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JORDAN A RIDDLE,

Plaintiff,

v.

Case No: 6:19-cv-771-Orl-40LRH

ORANGE COUNTY SCHOOL BOARD,

Defendant.

_____/

ORDER

This cause comes before the Court without oral argument upon review of Defendant's Motion to Dismiss and Motion for Reassignment (Doc. 6 (the "**Motion**")), and Plaintiff's Response in Opposition (Doc. 14). Upon review, the Court will grant the alternative request to transfer this case to the Honorable Anne C. Conway and otherwise defer ruling on the Motion.

Plaintiff originally brought suit in state court and Defendant removed to this Court, with the case assigned to the Honorable Anne C. Conway. (Doc. 15). After Plaintiff failed to respond to a dismissal motion in the original action, the Court granted the motion as unopposed and closed the case. *J.A.R. v. Orange Cty. Sch. Bd.*, No. 6:19-cv-52, Doc. 12 (M.D. Fla. Feb. 25, 2019). Plaintiff thereafter brought this suit alleging the same facts and claims. (Doc. 1). Next, Defendant moved to dismiss, arguing, among other things, that the case should be transferred to Judge Conway based on Local Rule 1.04(a), which provides: "Whenever a case, once docketed and assigned, is terminated by any means and is thereafter refiled without substantial change in issues or parties, it shall be

assigned, or reassigned if need be, to the judge to whom the original case was assigned.”
The Court agrees.

Accordingly, it is **ORDERED** that Defendant's Motion to Dismiss and Motion for Reassignment (Doc. 6) is **GRANTED IN PART** and **DEFERRED IN PART**. This case is hereby transferred to the Honorable Anne C. Conway. In all other respects, the Court defers ruling on the Motion.

DONE AND ORDERED in Orlando, Florida on June 7, 2019.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties