

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

TYREE EARL FORD,

Plaintiff,

v.

Case No. 2:22-cv-479-SPC-NPM

**CARMINE MARCENO, SMART COMMUNICATIONS
HOLDING, INC., VINCENT AMOROSO, J. LAZENBY,
SGT. WATSON AND M. HISSAM,**

Defendants.

ORDER

Before the court are Plaintiff Tyree Earl Ford’s “Notice to Request Copies of Complaint and Extention [sic] of Service of Complaint and Summons” (Doc. 6) and “Petition to Request Copies of Complaint/Summons and Extention [sic] of Service of Complaint/Summons” (Doc. 8). Ford—a pretrial detainee in the Lee County Jail—states his dorm was damaged by Hurricane Ian and jail officials took his legal paperwork when they moved him to a different part of the jail. He requests a copy of his complaint and a summons form. He also requests an extension of the 90-day deadline to serve the defendants. *See* Fed. R. Civ. P. 4(m).

Ford’s complaint does not comply with Civil Rule 10, which requires a party to “state its claims or defenses in numbered paragraphs, each limited as far as practicable to a single set of circumstances.” This rule is important. It enables

defendants to respond to each factual claim, which alerts the court and the parties to the factual claims that are in dispute. Ford's complaint is structured more like a legal memorandum than a pleading, with factual allegations and legal arguments presented together in non-numbered paragraphs. The complaint does not give the defendants a fair opportunity to admit or deny each factual claim against them. Before Ford serves the defendants, he must file an amended complaint that complies with Rule 10. The court will send Ford a copy of his original complaint to aid him in drafting an amended complaint.

The court **GRANTS** Ford's motions (Docs. 6 and 8). The clerk is **DIRECTED** to mail Ford a copy of his complaint, a blank civil-rights-complaint form marked with the case number and the title "Amended Complaint," and a summons form. Ford must file an amended complaint and a summons for each defendant within **21 days** of this order. Ford must serve the defendants within **60 days** after he files an amended complaint.

ORDERED on December 27, 2022.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE