

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LYNNEA SAITO and KOICHI
SAITO,

Plaintiffs,

v.

Case No.: 2:22-cv-740-JLB-KCD

COLLIER COUNTY MUNICIPAL
CORPORATION, COLLIER
COUNTY SHERIFF'S OFFICE,
CHARLES NUNLEY, BYRON
TOMLINSON, ALEXIS GRACE
MOFFETT, BLAKE ADAMS, ROB
CROWN, CRYSTAL KINZEL,
THOMAS SEPANSKI, and
EDWARD KELLY,

Defendants.

ORDER

Plaintiffs Lynnea Saito and Koichi Saito were allegedly pulled over by the Collier County Sheriff's Office in June 2022. (Doc. 24 ¶ 20.) Although not entirely clear, something occurred during the traffic stop that caused Plaintiffs to be arrested and their car towed. Plaintiffs have thus sued the Sheriff's Office, the deputies, the state attorney, two state judges, the clerk of court for Collier County, and the wrecker operator in both their individual and official capacities.

Several defendants have appeared and responded to the complaint. (*See* Doc. 42, Doc. 43.) Plaintiffs, in turn, have moved the Court to require defense counsel to “provide . . . lawful authority to act on behalf of Defendants.” (Doc. 44 at 1, Doc. 45 at 1, Doc. 46 at 1.) And if counsel cannot prove their “lawful authority,” Plaintiffs want the Court to “bar [them] from appearing in this case.” (*Id.*)

Plaintiffs offer no legal basis for their pending motions. Nor do they cite any authority that would allow the Court to prohibit counsel from appearing in this case. Rather, in conclusory fashion, Plaintiffs declare they “have reason to believe that Defendant[s] ha[ve] no statutory authority to hire Attorney to litigate this case.” (Doc. 46 at 1.)

Defendants are “entitled to the counsel of [their] choice,” which “may be overridden only if compelling reasons exist.” *In re BellSouth Corp.*, 334 F.3d 941, 961 (11th Cir. 2003). Plaintiffs have failed to offer any rationale (let alone compelling reasons) for the Court to deprive Defendants of their right to counsel or question their choice of an attorney. Further, the Court notes that each attorney to enter an appearance in this case is licensed in the State of Florida.

Accordingly, is it now **ORDERED**:

Plaintiffs’ Verified Motions to Show Authority (Docs. 44, 45, 46) are **DENIED**.

ENTERED in Fort Myers, Florida this January 24, 2023.



Kyle C. Dudek
United States Magistrate Judge

Copies: All Parties of Record