

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

LEONARD G. HOROWITZ,

Plaintiff,

v.

Case No.: 2:23-cv-696-SPC-NPM

EMERALD NUTRACEUTICALS,  
LLC., MICHAEL GARCIA, JOEL  
ZUPNICK, CHESKEL ZUPNICK,  
SPECIALTYRX, INC., STEVENS  
ADONIS and DOES 1-50,

Defendants.

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**ORDER**

This matter comes before the Court on *sua sponte* review of the file. Last month, the Court dismissed without prejudice the Complaint as a shotgun pleading and for lack of subject matter jurisdiction. (Doc. 6). But it gave pro se Plaintiff Leonard Horowitz until November 29, 2023, to file an amended complaint. In doing so, the Court warned Plaintiff that failure to file an amended complaint may cause the case to be closed without further notice. But the November 29 deadline has come and gone with no filing. So the Court's Order becomes a final judgment, and the case is closed. *Auto. Alignment & Body Servs., Inc. v. State Farm*, 953 F.3d 707, 719-20 (11th Cir. 2020) (The

“order dismissing a complaint with leave to amend within a specified time becomes a final judgment if the time allowed for amendment expires.”).


Accordingly, it is

**ORDERED:**

(1) This action is **DISMISSED** without prejudice.

(2) The Clerk is **DIRECTED** to deny any motions as moot, terminate any deadlines, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this December 4, 2023.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record