

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

TARSHEIKA THOMAS,

Plaintiff,

v.

Case No. 3:23-cv-1110-MMH-MCR

CREDENCE RESOURCE
MANAGEMENT, LLC, and
RESURGENT CAPITAL
SERVICES, L.P.,

Defendants.

ORDER

THIS CAUSE is before the Court sua sponte. On September 21, 2023, Plaintiff Tarsheika Thomas initiated this action, pro se, by filing a Complaint for a Civil Case (Doc. 1; Complaint). On February 27, 2024, the Court entered an Order (Doc. 25) striking the Complaint as an impermissible shotgun pleading. See Order at 4-5. In the Order, the Court set forth at length the legal authority prohibiting shotgun pleadings in federal court and described the problem with the Complaint as drafted. See Order at 2-4. Specifically, the Court instructed that “[t]he most common type of shotgun pleading is one that involves a complaint containing ‘multiple counts where each count adopts the allegations of all preceding counts, causing each successive count to carry all

that came before and the last count to be a combination of the entire complaint.” See Order at 3 (quoting Weiland v. Palm Beach Cnty. Sheriff’s Office, 792 F.3d 1313, 1321 & n.11 (11th Cir. 2015)). The Court then explained that “Thomas commits this exact error in that Counts II and III of the Complaint reincorporate all allegations of all the preceding counts.” Id. at 4 (citing Complaint ¶¶ 33, 39). Given this deficiency, the Court struck the Complaint and instructed Thomas to file an amended complaint that was “consistent with the directives of this Order” See Order at 5-6.

On March 15, 2024, Thomas filed an amended complaint. See Complaint (Doc. 26; Amended Complaint). However, upon review of the Amended Complaint, the Court finds that Thomas failed to comply with the directives of the Court’s February 27, 2024 Order. Indeed, despite the Court’s specific instruction, Counts II and III of the Amended Complaint continue to reincorporate all allegations of all the preceding counts. See Amended Complaint ¶¶ 33, 39. As such, the Court will strike the Amended Complaint for failure to comply with the Court’s Order and the rules of pleading in federal court. The Court will provide Thomas with **one final opportunity** to properly draft her pleadings. Thomas is cautioned that failure to comply with the requirements of the Court’s Orders and the rules against shotgun pleadings will likely result in the dismissal of this action without further notice. Accordingly, it is

ORDERED:

1. Plaintiff's Amended Complaint (Doc. 26) is **STRICKEN**.
2. Plaintiff may file a second amended complaint consistent with the directives of this Order on or before **April 16, 2024**. Failure to do so may result in a dismissal of this action.
3. Defendants shall respond to the amended complaint in accordance with the requirements of Rule 15 of the Federal Rules of Civil Procedure.

DONE AND ORDERED in Jacksonville, Florida, this 25th day of March, 2024.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record
Pro Se Parties