

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

TINO A. NORFLEET,

Plaintiff,

v.

Case No.: 2:24-cv-182-SPC-KCD

CHARLOTTE COUNTY JAIL,

Defendant.

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**OPINION AND ORDER**

Before the Court is Plaintiff Tino Norfleet's amended complaint (Docs. 7 and 8). Norfleet is an inmate in Charlotte County Jail. After United States Magistrate Judge Kyle Dudek granted Norfleet leave to proceed *in forma pauperis*, the Court reviewed his initial complaint under 28 U.S.C. § 1915((e)(2)). The Court dismissed the complaint because, among other reasons, it did not comply with Federal Rule of Civil Procedure 10 and stated no allegations against the only defendant.

The Court gave Norfleet leave to file an amended complaint and instructions on how to correct the deficiencies in the initial complaint. Specifically, the Court explained that factual allegations must be pled in separate, numbered paragraphs, and that Norfleet must sue the individual officers who allegedly violated his rights. (*See* Doc. 7). Norfleet did not heed

the Court's instructions, nor did he use the civil-rights complaint form the Court provided. Instead, Norfleet filed two handwritten amendments against the Charlotte County Sheriff's Office. The first merely states that abuses to Norfleet's civil liberties continue, and the second alleges in an unbroken narrative that an unnamed officer "made a gesture or spit in petitioner [sic] tray." (Doc. 9 at 2).

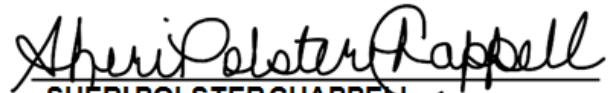
Norfleet's amended complaint is procedurally deficient for the same reasons the Court dismissed his initial complaint. (*See* Doc. 7). Also, the amended complaint fails to state a claim against the Sheriff because "supervisory officials are not liable under [42 U.S.C.] § 1983 for the unconstitutional acts of their subordinates on the basis of respondeat superior or vicarious liability." *Keith v. DeKalb Cnty., Ga.*, 749 F.3d 1034, 1047 (11th Cir. 2014). Because Norfleet has now twice failed to state a claim and to comply with federal pleading rules, the Court will dismiss this action and close the case.

Accordingly, it is now

**ORDERED:**

Tino Norfleet's amended complaint (Docs. 8 and 9) is **DISMISSED without prejudice**. The Clerk is **DIRECTED** to terminate any pending motions and deadlines, enter judgment, and close this case.

**DONE** and **ORDERED** in Fort Myers, Florida on March 25, 2024.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record