

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

PETER HESSER,

Plaintiff,

Case No.: 2:24-CV-400-JLB-KCD

v.

LOWEL H. BECRAFT JR.,

Defendant,

\_\_\_\_\_ /

**ORDER**

Plaintiff Peter Hesser sues his former criminal defense attorney, Defendant Lowel Becraft, Jr., for malpractice. (See Doc. 9.) Becraft has moved to dismiss the complaint, and relevant here, asks the Court to take judicial notice of “the pleadings and court documents filed in the criminal case against Hesser.” (Doc. 25 at 3-4.) The Court will consider Becraft’s request in conjunction with the motion to dismiss to the extent needed. And if Hesser opposes taking judicial notice, he is directed to address such evidence in response to the motion to dismiss.

Accordingly, Becraft’s standalone Motion to Take Judicial Notice is **DENIED WITHOUT PREJUDICE**. The Court will address the court documents Becraft submitted along with the motion to dismiss.

**ORDERED** in Fort Myers, Florida on September 16, 2024.

  
Kyle C. Dudek  
United States Magistrate Judge