

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MICHAEL JAMES ROSS,

Plaintiff,

v.

Case No.: 2:24-cv-858-SPC-KCD

BOB WHALEN, GEORGE WEISS,
MARK ORGILL and TONI
ISEMAN,

Defendants.

ORDER

On September 19, 2024, the Court issued an Order to Show Cause to Plaintiff Michael James Ross, proceeding *pro se*, directing him to show cause by October 4, 2024, as to why this action should not be dismissed for lack of venue under 28 U.S.C. § 1406(a). (Doc. 4). Under § 1406(a), “[t]he district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.”

The Order to Show Cause warned Plaintiff that failure to show cause would result in the Court closing this case without further notice. (*Id.*) Plaintiff failed to respond to the Order to Show Cause.

Accordingly, it is now

ORDERED:

1. This action is **DISMISSED WITHOUT PREJUDICE** for lack of venue under 28 U.S.C. § 1406(a).
2. The Clerk is **DIRECTED** to deny any pending motions as moot, terminate any deadlines, and close the case.

DONE and **ORDERED** in Fort Myers, Florida on October 16, 2024.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record