

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

RICHARD ROCHE, individually,
and RICHARD ROCHE, personal
representative of the Estate of
Laura Susan Roche,

Plaintiffs,

v.

Case No.: 2:24-cv-1149-SPC-KCD

LARC, INC. (a/k/a Lee Association
of Remarkable Citizens, Inc., and
a/k/a Lee Association of Retarded
Citizens, Inc.), KEVIN LEWIS,
VICKIE CHAPMAN, JANE
MARSHALL, DANIELLE
JACOBS, PHYSICIANS' PRIMARY
CARE OF SOUTHWEST
FLORIDA, P.L. (d/b/a Physicians'
Primary Care), JEANNE A.
ABDOU, APRN, ROGER
O'HALLORAN, ESQ., GULF
COAST MEDICAL CENTER, LEE
MEMORIAL HEALTH SYSTEM,
and CARLY HALLER, R.N.,

Defendants.

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ORDER

Before the Court is a review of the docket. A judge must disqualify if her
“impartiality might reasonably be questioned.” 28 U.S.C. § 455(a). She must
also disqualify in certain situations listed in § 455(b). And all doubts are
“resolved in favor of recusal.” *Murray v. Scott*, 253 F.3d 1308, 1310 (11th Cir.

2001). Because the Court's immediate family member now actively uses a doctor associated with Lee Memorial Health System, a named Defendant, disqualification may be required. *See* 28 U.S.C. § 455(b). To avoid even the appearance of partiality or impropriety, the Court finds she must recuse herself. *See Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 865 (1988).

Accordingly, it is now

ORDERED:

1. The Honorable Sheri Polster Chappell is **RECUSED** from this action.
2. The Clerk is **DIRECTED** to reassign this case to another United States District Judge in the Fort Myers Division.

DONE and **ORDERED** in Fort Myers, Florida on December 18, 2024.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record