

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FRANZUA RENZO ZULOETA
RAMIREZ GASTON,

Petitioner,

v.

Case No: 6:24-cv-1411-JSS-LHP

CYNTHIA ISABEL CHAVEZ
GUTIERREZ,

Respondent

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

**MOTION: PETITIONER'S AMENDED MOTION FOR
ATTORNEY'S FEES AND NECESSARY EXPENSES
(Doc. No. 72)**

FILED: October 10, 2024

**THEREON it is ORDERED that the motion is DENIED without
prejudice.**

By prior Order, the Court denied without prejudice Petitioner's motion for attorney's fees and expenses because the motion: (1) failed to comply with Local

Rule 3.01(g); (2) did not contain any analysis on the reasonableness of the fee request under the lodestar approach or provide legal authority demonstrating the lodestar would not apply; and (3) included expenses without explanation, documentation, or legal authority in support. Doc. No. 71; *see* Doc. No. 57. Now before the Court is Petitioner's amended motion, filed on October 10, 2024. Doc. No. 72. The amended motion includes no attachments nor citation to any specific evidence, and refers the Court to "the appendix filed separately." *Id.* at 2. According to the amended motion, Petitioner reached out to Respondent's counsel on October 8, 2024, but has not heard back. *Id.*

Upon review, the amended motion will once again be denied without prejudice. First, Petitioner has not supplemented the motion as required by Local Rule 3.01(g)(3). Second, the amended motion fails to comply with the Court's prior directives or rectify the deficiencies with the initial motion, including that Petitioner once again fails to conduct an analysis of the reasonableness of the fees sought, does not address, by citation to legal authority or otherwise, whether the lodestar approach applies to the fee request, and does not support the requested expenses with any documentation or legal authority in support. Merely pointing to a 34-page attachment previously filed with the Court, without explanation, does not suffice.

Accordingly, the amended motion (Doc. No. 72) is **DENIED without prejudice**. Petitioner will be given **one final** opportunity to file a properly supported motion for fees and expenses. It is **ORDERED** that Petitioner shall file any such renewed motion within **twenty-one (21) days** of the date of this Order. A **renewed motion must comply with all applicable Local Rules, including Local Rule 3.01(g), must include a memorandum of legal authority supporting the requested fees, and must adequately address, by citation to legal authority and evidence in support (in the body of the motion), the fees and expenses sought. The renewed briefing shall stand on its own and shall include any exhibits that Petitioner wishes the Court to consider; incorporation by reference of previously filed motions and/or exhibits will not be permitted.**

DONE and ORDERED in Orlando, Florida on October 21, 2024.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties