

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ANTHONY WAYNE SWAIN
WASHINGTON, JR and AW
WASHINGTON CONSULTING LLC,

Plaintiffs,

v.

Case No: 6:24-cv-2103-PGB-LHP

AT&T INC., AT&T ORLANDO,
AT&T CORPORATE OFFICE and
AT&T STORE,

Defendants

ORDER

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

MOTION: MOTION FOR MISCELLANEOUS RELIEF (Doc. No. 12)

FILED: December 16, 2024

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

By the above-styled, untitled motion, it is not entirely clear what relief Plaintiff¹ seeks, but Plaintiff references a “writ of replevin, motion to proceed and a motion to discover to the Middle District Court of Florida for claims against AT&T Inc.” Doc. No. 12, at 1. Upon review, the motion (Doc. No. 12) fails to contain a memorandum of law as required by Local Rule 3.01(a) – while Plaintiff lists several rules and statutes, he does not explain how any of them authorize any requested relief. Moreover, insofar as Plaintiff is seeking discovery from Defendant AT&T Inc., no Defendant has yet been served or appeared in this case, and as such no case management conference has yet occurred and discovery has not yet opened; therefore, any attempts to obtain discovery are premature. *See* Fed. R. Civ. P. 26(d). Accordingly, the motion (Doc. No. 12) is **DENIED without prejudice**.

Plaintiff is advised that although he proceeds *pro se* in this case, *pro se* litigants are “subject to the relevant law and rules of court, including the Federal Rules of Civil Procedure.” *See Moon v. Newsome*, 863 F.2d 835, 837 (11th Cir. 1989), *cert. denied*, 493 U.S. 863 (1989). Failures to comply with applicable Local Rules and Federal Rules of Civil Procedure may result in the imposition of sanctions.

¹ Given that AW Washington Consulting LLC cannot proceed in this case without counsel, *see* Doc. Nos. 3, 15, the Court construes the motion as brought by *pro se* Plaintiff Anthony Wayne Swain Washington, Jr. alone.

DONE and ORDERED in Orlando, Florida on January 3, 2025.

Handwritten signature of Leslie Hoffman Price in blue ink.

LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties