

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
FLORIDA, PENSACOLA DIVISION

Jonathan Garrett Green v. Florida Department of Revenue, et al.

Green · No. 3:26-cv-1733-TKW-ZCB · Decided March 23, 2026

SUMMARY

The United States District Court for the Northern District of Florida adopted the magistrate judge’s Report and Recommendation and denied Jonathan Garrett Green’s motion for a temporary restraining order. The court concluded that Green had not shown a likelihood of success on the merits or irreparable harm, noting that exhibits indicated the Florida Department of Children and Families had arranged transportation to psychological examinations. The case was returned to the magistrate judge for further pretrial proceedings.

CASE DETAILS

COURT	United States District Court for the Northern District of Florida, Pensacola Division
WRITING FOR THE COURT	T. Kent Wetherell, II
JURISDICTION	United States District Court for the Northern District of Florida, Pensacola Division
DECIDED	March 23, 2026
DOCKET	3:26-cv-1733-TKW-ZCB
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed the magistrate judge's Report and Recommendation and Plaintiff's objections de novo and denied Plaintiff's motion for a temporary restraining order.
STANDARD OF REVIEW	De novo review of the issues raised in Plaintiff's objections under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(3). For the TRO, Plaintiff had to show, among other things, a likelihood of success on the merits and irreparable harm absent relief.
PRECEDENTIAL VALUE	unknown
PARTIES	Jonathan Garrett Green v. Florida Department of Revenue, et al.

TOPICS

injunctions

family law procedure

parental rights

civil procedure

PRACTICE AREAS

civil procedure

remedies

injunctions

family law

administrative law

QUESTIONS PRESENTED

1. Whether the magistrate judge's recommendation to deny Plaintiff's motion for a temporary restraining order should be adopted after de novo review of Plaintiff's objections.
2. Whether Plaintiff established a likelihood of success on the merits and irreparable harm sufficient to obtain a temporary restraining order.

HOLDINGS

1. The district court adopted and incorporated the magistrate judge's Report and Recommendation after de novo review.
2. Plaintiff was not entitled to a temporary restraining order because he failed to demonstrate that his claims were likely to succeed on the merits or that he would suffer irreparable harm without a TRO.

KEY QUOTATIONS

"None of the arguments in the objections persuade the Court that any of Plaintiff's claims are likely to succeed on the merits or that Plaintiff will suffer irreparable harm if a TRO is not issued."

"that delay still 'militates against a finding of irreparable harm.'"

FACTUAL BACKGROUND

Plaintiff alleged that the Florida Department of Revenue was prohibiting him from driving while another state agency, the Department of Children and Families, was effectively requiring him to drive himself and family members to psychological examinations or face termination of his parental rights. The exhibits, however, included a message from DCF stating that transportation had been arranged for all three individuals. Plaintiff also delayed nearly three weeks, and until six days before the proposed driver's-license suspension, before filing the action and seeking a TRO.

PROCEDURAL HISTORY

Plaintiff filed an action and moved for a temporary restraining order concerning a driver's-license suspension and transportation related to psychological examinations connected with his parental-rights proceedings. The magistrate judge recommended denying the TRO. After reviewing Plaintiff's objections de novo, the district court adopted and incorporated the R&R, denied the TRO, and returned the case to the magistrate judge for further pretrial proceedings.

DISPOSITION

other

REMAND INSTRUCTIONS

The case was returned to the magistrate judge for further pretrial proceedings, including consideration of Plaintiff's motion for appointment of counsel, motion to file exhibits under seal, and requests for accommodations.

CASES CITED

- Wreal, LLC v. Amazon, Inc., 840 F.3d 1240, 1248 (11th Cir. 2016)

OPINION

GREEN

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF FLORIDA

PENSACOLA DIVISION

JONATHAN GARRETT GREEN,

Plaintiff, v. Case No. 3:26-cv-1733-TKW-ZCB

FLORIDA DEPARTMENT OF

REVENUE, et al., Defendants. /

ORDER

This case is before the Court based on the magistrate judge's Report and Recommendation (R&R) (Doc. 6) and Plaintiff's objections (Doc. 8). The Court reviewed the issues raised in the objections de novo under 28 U.S.C. §636(b)(1) and Fed. R. Civ. P. 72(b)(3), and based on that review, the Court agrees with the magistrate judge's determination that Plaintiff's motion for a temporary restraining order should be denied. None of the arguments in the objections persuade the Court that any of Plaintiff's claims are likely to succeed on the merits or that Plaintiff will suffer irreparable harm if a TRO is not issued.¹ Moreover, although Plaintiff faults the 1 In the interest of a prompt ruling on the objections (and the underlying TRO motion), the Court sees no reason to separately address each of the "nine [alleged] reversible errors" raised in the objections. Suffice it to say, the Court is not persuaded that any of the alleged errors (if they magistrate judge for not addressing the "Catch-22" that Plaintiff is allegedly facing because one state agency (DOR) is prohibiting him from driving while another state agency (DCF) is effectively requiring him to drive himself and family members to psychological examinations or face termination of his parental rights, the exhibits submitted by Plaintiff refute that claim because they show that DCF has arranged transportation so Plaintiff will not need to drive. See Doc. 10 at 104 (text message from "Amber DCF," stating "I've gotten all 3 of you a ride on your day. She will pick you guys up on your days at 9 am."). ORDERED that:

1. The magistrate judge's R&R is adopted and incorporated by reference in this Order.

2. Plaintiff's motion for a temporary restraining order (Doc. 3) is DENIED.

3. This case is returned to the magistrate judge for further pretrial proceedings, including consideration of Plaintiff's motion for appointment of are errors) undermine the conclusion that Plaintiff has not his burden to obtain a TRO. For example, even if is true that Plaintiff did not learn about the impending driver's license suspension until February 18 (rather than January 15), that does not help Plaintiff because he still waited almost three weeks—and until only six days before the suspension was to take effect—to file this action and seek a TRO, and under the circumstances, that delay still “militates against a finding of irreparable harm.” Doc. 6 at 4 (quoting *Wreal, LLC v. Amazon, Inc.*, 840 F.3d 1240, 1248 (11th Cir. 2016)). counsel (Doc. 7), motion to file exhibits under seal (Doc. 9),? and his various requests for accommodations (Doc. 8 at 1-2). DONE AND ORDERED this 23rd day of March, 2026.

T. KENT WETHERELL, II

UNITED STATES DISTRICT JUDGE

2 The Court considered the redacted exhibits (Doc. 8) as part of its review of Plaintiff's objections, and for purposes of that review, the Court accepted Plaintiff's characterization of what the redacted information showed. Page 3 of 3