

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

Irene J. Pridgen v. US Bank Trust National Association et al.

Pridgen · No. 8:25-cv-3003-KKM-AAS · Decided January 13, 2026

SUMMARY

The United States District Court for the Middle District of Florida grants Irene J. Pridgen’s motion under Federal Rule of Civil Procedure 60(b) for relief from the final judgment dismissing her complaint as a shotgun pleading. The court vacates the judgment, reopens the case, and permits Pridgen to file a second amended complaint by January 27, 2026.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	Kathryn Kimball Mizelle
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	January 13, 2026
DOCKET	8:25-cv-3003-KKM-AAS
DISPOSITION	vacated
PROCEDURAL POSTURE	Plaintiff moved under Federal Rules of Civil Procedure 59(e) and 60(b) to reconsider, vacate, and reopen the case after the court dismissed her complaint without prejudice as a shotgun pleading and entered judgment when she failed to amend by the date certain set in the dismissal order.
STANDARD OF REVIEW	Relief from a final judgment under Rule 60(b) is discretionary and may be granted for excusable neglect; the court evaluated the timing of the motion, the reason for delay, the minimal duration of the delay, and prejudice to the defendants.
PRECEDENTIAL VALUE	unknown
PARTIES	Irene J. Pridgen v. US Bank Trust National Association et al.

TOPICS

motion for reconsideration

motion to amend

pleadings

civil procedure

equitable relief

PRACTICE AREAS

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether Rule 6(d)'s three-day extension for service by mail applied to a deadline set on a specific calendar date.
2. Whether Pridgen was entitled to relief from the final judgment under Rule 60(b) based on excusable neglect.
3. Whether the judgment should be vacated and the case reopened to permit Pridgen to file an amended complaint.

HOLDINGS

1. Rule 6(d) does not extend a deadline stated as a fixed calendar date; it applies when a party must act within a specified period after service.
2. Rule 60(b) relief was warranted because Pridgen's deadline miscalculation, possibly delayed receipt of the dismissal order, and related circumstances constituted excusable neglect.

KEY QUOTATIONS

““‘[E]xcusable neglect’ is understood to encompass situations in which the failure to comply with a filing deadline is attributable to negligence.””

FACTUAL BACKGROUND

Pridgen, proceeding pro se, received the dismissal order by mail later than expected and did not file an amended complaint or request an extension by the December 18 deadline. After judgment was entered, she sought an extension and later moved under Rules 59(e) and 60(b), explaining that a family member's medical emergency impaired her ability to prepare an amended complaint. The court found that her deadline miscalculation, possibly delayed receipt of the order, minimal delay, and lack of discernable prejudice constituted excusable neglect warranting relief.

PROCEDURAL HISTORY

The court dismissed Pridgen's complaint on December 4, 2025, gave her until December 18 to amend, and entered judgment on December 22 after she failed to amend or timely seek an extension. Pridgen filed an extension motion after judgment, which the court denied. She then filed an emergency motion for reconsideration and relief from judgment. The court granted Rule 60(b) relief, vacated the judgment, reopened the case, and allowed her to file a second amended complaint by January 27, 2026.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The Clerk was directed to vacate the judgment and reopen the case. Pridgen was permitted to file a second amended complaint remedying the shotgun-pleading defects no later than January 27, 2026.

CASES CITED

- Automatic Alignment & Body Service, Inc. v. State Farm Mutual Automobile Insurance Co., 953 F.3d 707, 719-20 (11th Cir. 2020)
- Hertz Corp. v. Alamo Rent-A-Car, Inc., 16 F.3d 1126, 1132-33 (11th Cir. 1994)
- Destra v. Demings, 725 F. App'x 855, 859 (11th Cir. 2018) (per curiam)
- Violette v. P.A. Days, Inc., 427 F.3d 1015, 1016 (6th Cir. 2005)
- Juravin v. Rada, No. 5:24-CV-618-PGB-PRL, 2025 WL 1665725, at *3 & n.2 (M.D. Fla. June 12, 2025)
- Pioneer Investment Services Co. v. Brunswick Associates Ltd. Partnership, 507 U.S. 380, 394 (1998)
- Cheney v. Anchor Glass Container Corp., 71 F.3d 848, 850 (11th Cir. 1996)

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