

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, FORT MYERS DIVISION**

**Rogelio Bolufe Izquierdo, Juan Rivero, Daniel Fundora, Yudier
Carreno, Yaidel Carrazana, Ruben Aureoles Gonzalez, Byron
Sanchez Ibarra v. Alligator Alcatraz, Facility Officers**

No. 2:25-cv-1081-KCD-NPM, United States District Court for the Middle District of Florida, Fort Myers
Division (November 25, 2025)

SUMMARY

The United States District Court for the Middle District of Florida dismissed the plaintiffs' action without prejudice because they had neither paid the filing fee nor moved to proceed without prepayment of costs. The court directed the Clerk to deny pending motions as moot, terminate deadlines, and close the case.

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS
DIVISION ROGELIO BOLUFE IZQUIERDO, JUAN RIVERO, DANIEL Case No. 2:25-cv-
1081-KCD-NPM FUNDORA, YUDIER CARRENO, YAIDEL CARRAZANA, RUBEN
AUREOLES GONZALEZ, BYRON SANCHEZ IBARRA, Plaintiffs, v. ALLIGATOR
ALCATRAZ, FACILITY OFFICERS, Defendants. / ORDER Before the Court is Plaintiffs'
"Formal Declaration and Complaint to Innovation Law Lab." (Doc.

1.) Plaintiffs (who are not in custody) have yet to pay the filing fee or move to proceed without prepayment of costs. See 28 U.S.C. § 1915 (allowing a litigant to commence a civil action without prepayment of the filing fee if the litigant submits an affidavit showing they are unable to pay).

The Court thus dismisses this action without prejudice. See 28 U.S.C. § 1914(c) ("Each district court by rule or standing order may require advance payment of fees."); Local Rule 1.05(c) ("The clerk must accept an initial paper from a person in custody even if no filing fee or motion for leave to proceed in forma pauperis accompanies the paper." (emphasis added)); Myers v. City of Naples, Fla., No. 2383-13073, 2024 WL 4691100, at *2 (11th Cir.

Nov. 6, 2024) (affirming the dismissal of an unrepresented, non-prisoner litigant's complaint for failure to contemporaneously pay the filing fee or move in forma pauperis). Accordingly, it is now ORDERED: 1. This case is DISMISSED without prejudice. 2.

The Clerk is DIRECTED to deny any pending motions as moot, terminate any deadlines, and close the case. ENTERED in Fort Myers, Florida on November 25, 2025. Kyle C. Dudek ae a

United States District Judge

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