

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Lutricia Lushan Brown Allen v. State of Florida, et al.

Brown Allen · No. 25-61332-CIV-SMITH/VALLE · Decided February 2, 2026

SUMMARY

The United States District Court for the Southern District of Florida affirmed and adopted a magistrate judge’s report and recommendation. The court dismissed the plaintiff’s supplemental and amended civil rights complaint as untimely and procedurally deficient, denied her request for a preliminary injunction, overruled her objections, and closed the case.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	Rodney Smith
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	February 2, 2026
DOCKET	25-61332-CIV-SMITH/VALLE
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed de novo a magistrate judge's Report and Recommendation recommending denial of a preliminary injunction and dismissal of the supplemental and amended civil rights complaint. The court affirmed and adopted the Report and Recommendation, dismissed the amended complaint, denied the preliminary-injunction request, overruled the objections, and closed the case.
STANDARD OF REVIEW	De novo review of the Report and Recommendation and the portions to which objections were purportedly made under 28 U.S.C. § 636(b) (1).
PRECEDENTIAL VALUE	Unpublished federal district court order; precedential status unknown
PARTIES	Lutricia Lushan Brown Allen v. State of Florida, et al.

TOPICS

- injunctions
- pleadings
- motion to amend
- civil procedure
- section 1983

PRACTICE AREAS

civil procedure

civil rights

constitutional law

equitable relief

QUESTIONS PRESENTED

1. Whether Plaintiff's objections to the magistrate judge's Report and Recommendation were sufficiently specific to require direct consideration.
2. Whether the supplemental and amended civil-rights complaint should be dismissed as untimely and procedurally deficient.
3. Whether Plaintiff was entitled to a preliminary injunction halting the identified Florida state-court proceedings.

HOLDINGS

1. Objections that do not specifically identify the challenged portions of the Report and Recommendation, the basis for the objections, and supporting legal authority are improper and may be overruled without direct consideration.
2. An amended complaint filed after the court-ordered deadline may be dismissed when the prior order warned that failure to file timely would result in dismissal, particularly where the amended pleading also fails to cure previously identified procedural and pleading defects.
3. Plaintiff was not entitled to a preliminary injunction because the emergency request failed to satisfy the requirements for issuance of such relief.

KEY QUOTATIONS

"Plaintiff's Objections are not proper objections because they do not specifically identify the portions of the proposed findings, recommendations or report to which objection is made, the specific basis for such objections, and supporting legal authority."

"Plaintiff filed her Supplemental & Amended Civil Rights Complaint in Addition to and in Support of the Original Federal Complaint [DE 28] on November 26, 2025. Thus, Plaintiff's Supplemental & Amended Complaint was untimely."

FACTUAL BACKGROUND

The district court had dismissed Plaintiff's original civil-rights complaint as procedurally deficient, failing to state a claim, and constituting a shotgun pleading, and gave her until November 21, 2025, to file a compliant amended complaint. Plaintiff filed her supplemental and amended complaint on November 26, 2025, after the court-ordered deadline. The court also concluded that the amended complaint did not correct the deficiencies identified in the original complaint and that Plaintiff's emergency request to halt Florida state-court proceedings did not satisfy the requirements for a preliminary injunction.

PROCEDURAL HISTORY

The court had previously dismissed Plaintiff's original civil-rights complaint for procedural deficiencies, failure to state a claim, and shotgun pleading, while granting leave to amend by November 21, 2025. Plaintiff filed a supplemental and amended complaint on November 26, 2025, and separately sought an emergency preliminary injunction. The magistrate judge recommended dismissal and denial of injunctive relief; after reviewing Plaintiff's objections and the record de novo, the district court adopted the recommendation and closed the case.

DISPOSITION

dismissed

CASES CITED

- *Macort v. Prem, Inc.*, 208 F. App'x 781, 783 (11th Cir. 2006)

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