

**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.

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA CASE NO. 25-61332-CIV-SMITH/VALLE LUTRICIA LUSHAN BROWN ALLEN, Plaintiff, vs. STATE OF FLORIDA, ET AL., Defendants. / ORDER AFFIRMING AND ADOPTING REPORT OF MAGISTRATE JUDGE This matter is before the Court upon Magistrate Judge Valle's Report and Recommendation to District Judge [DE 32], in which she recommends denying Plaintiff's Emergency Demand for Order of Preliminary Injunction to Halt All "State of Florida" Court Proceedings in Case 25000388MM10A and Protect Constitutional Rights Under 28 U.S.C. § 1651, 28 U.S.C. § 2283, and 28 U.S.C. § 1361 [DE 27] and dismissing Plaintiff's Supplemental and Amended Civil Rights Complaint [DE 28] as untimely and procedurally deficient.

Plaintiff has filed "Measured Objections to the Report and Recommendation Pursuant to 28 U.S.C. § 636(b)(1)" [DE 33]. Under Rule 4(b) of the Magistrate Judge Rules of the Southern District of Florida, written objections to a Report and Recommendation "shall 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." See also *Macort v. Prem, Inc.*, 208 F. App'x 781, 783 (11th Cir.

2006) (stating that an objection to a magistrate judge's findings and recommendations "shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection") (citation omitted). 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.

Consequently, the Court will not directly address Plaintiff's Objections and the Objections are overruled. Additionally, the Omnibus Order on Procedural Motions and Dismissing Complaint

[DE 19] dismissed Plaintiff's Complaint for Violation of Civil Rights [DE 1] and gave Plaintiff until November 21, 2025, to file an Amended Complaint in compliance with the Omnibus Order.

The Omnibus Order warned that "Failure to timely file the Amended Complaint will result in dismissal of this case." (Omnibus Order at 11 (emphasis added).) 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. Pursuant to the Omnibus Order, dismissal of this action is appropriate. Moreover, a review of Plaintiff's Emergency Demand for Order of Preliminary Injunction to Halt All "State of Florida" Court Proceedings in Case 25000388MM10A and Protect Constitutional Rights Under 28 U.S.C. § 1651, 28 U.S.C. § 2283, and 28 U.S.C. § 1361 [DE 27] indicates that Plaintiff has failed to meet the requirements for the issuance of a preliminary injunction.

A review of Plaintiff's Supplemental & Amended Complaint indicates that Plaintiff failed to correct the deficiencies of her initial Complaint for Violation of Civil Rights, which the Court dismissed for procedural deficiencies, failure to state a claim, and being a shotgun pleading.

Having reviewed, de novo, the Report and Recommendation, Plaintiff's Objections, and the record, it is ORDERED that: 1) Magistrate Judge Valle's Report and Recommendation to District Judge [DE 32] is AFFIRMED and ADOPTED and incorporated by reference into this Court's Order. 2) Plaintiff's Supplemental and Amended Civil Rights Complaint [DE 28] is DISMISSED.

3) Plaintiff's Emergency Demand for Order of Preliminary Injunction to Halt All "State of Florida" Court Proceedings in Case 25000388MM10A and Protect Constitutional Rights Under 28 U.S.C. § 1651, 28 U.S.C. § 2283, and 28 U.S.C. § 1361 [DE 27] is DENIED. 4) Plaintiff's "Measured Objections to the Report and Recommendation Pursuant to 28 U.S.C. § 636(b)(1)" [DE 33] are OVERRULED.

5) All pending motions not otherwise ruled upon are DENIED as moot. 6) This case is CLOSED. DONE and ORDERED in Fort Lauderdale, Florida, this 30th day of January, 2026. RODNEY SMITH UNITED STATES DISTRICT JUDGE ce: All Counsel of Record/Pro se plaintiff