

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

Mark Patrick Lange v. Florida Department of Law Enforcement;
Carmine Marceno, in his official capacity as Sheriff of Lee County

Lange v. Florida Department of Law Enforcement, No. 2:25-cv-00366-JES-NPM (M.D. Fla. Feb. 20, 2026) ·
No. 2:25-cv-00366-JES-NPM · Decided February 20, 2026

SUMMARY

The United States District Court for the Middle District of Florida denied Mark Lange’s emergency motion for a preliminary injunction seeking to prevent enforcement of Florida’s sexual-offender registration requirements. The court held that Lange had not shown a substantial likelihood of success under Florida Statute § 943.0435, including because fewer than 25 years had passed since his Minnesota registration requirement ended and because statutory exclusions might apply. The court also concluded that Lange had not shown the requested injunction would serve the public interest.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
WRITING FOR THE COURT	John E. Steele
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	February 20, 2026
DOCKET	2:25-cv-00366-JES-NPM
DISPOSITION	other
PROCEDURAL POSTURE	The district court considered Plaintiff's Emergency Motion for Immediate Relief, seeking a preliminary injunction barring enforcement of Florida's sexual-offender registration requirements.
STANDARD OF REVIEW	A preliminary injunction is reviewed under the four-factor test requiring a substantial likelihood of success on the merits, irreparable injury absent relief, no substantial harm to the opposing party, and consistency with the public interest. The grant or denial of preliminary injunctive relief is within the district court's sound discretion.
PRECEDENTIAL VALUE	unpublished federal district court opinion; persuasive authority only

PARTIES

Mark Patrick Lange v. Florida Department of Law Enforcement,
Carmine Marceno, in his official capacity as Sheriff of Lee County

TOPICS

injunctions

statutory interpretation

civil procedure

due process

equal protection

PRACTICE AREAS

civil rights

constitutional law

civil procedure

remedies

sex-offender registration

QUESTIONS PRESENTED

1. Whether Lange demonstrated a substantial likelihood of success on his claim that Florida Statute section 943.0435(11)(a) required removal of his name from Florida's sexual-offender registry.
2. Whether Lange demonstrated a substantial likelihood of success on his remaining claims, which relied on Florida Statute section 943.0435(11)(b) and various constitutional and statutory theories.
3. Whether the requested preliminary injunction would be adverse to the public interest.

HOLDINGS

1. Lange failed to show a substantial likelihood of success because section 943.0435(11)(a) requires a petition for removal and, as an initial requirement, at least twenty-five years after lawful release from confinement, supervision, or sanction, whichever is later; fewer than seventeen years had elapsed since his Minnesota reporting obligation ended.
2. Lange failed to establish a substantial likelihood of success on his remaining claims because he did not show that section 943.0435(11)(b) exempted him from Florida's reporting requirements.
3. Lange failed to show that the requested preliminary injunction would not be adverse to the public interest because he made no allegation explaining how the injunction would serve the public interest.

KEY QUOTATIONS

“A preliminary injunction is an extraordinary and drastic remedy not to be granted unless the movant clearly establishes the burden of persuasion as to the four requisites.”

“The grant or denial of a preliminary injunction is a decision within the sound discretion of the district court.”

FACTUAL BACKGROUND

Lange was convicted of fourth-degree criminal sexual conduct in Minnesota in 1995 and was required to register as a predatory offender there. In 2003, a Minnesota court discharged him from probation, restored his civil rights, and deemed the conviction a misdemeanor; in 2009, Minnesota notified him that his Minnesota registration obligation had ended, while expressly warning that the notice did not determine his obligations in other states. After moving to Florida, Lange registered as a sexual offender under Florida law, and a Minnesota

court later expunged and sealed records concerning his conviction in 2023. Lange argued that these events entitled him to removal from Florida's registry or exemption from Florida's reporting requirements.

PROCEDURAL HISTORY

Lange previously sought injunctive relief concerning Florida's registration requirements, and the court's prior Order addressed related claims. In this proceeding, Lange filed an Emergency Motion for Immediate Relief; the defendants opposed it. The court denied the motion after concluding that Lange failed to demonstrate a substantial likelihood of success on the merits and that the requested injunction would be adverse to the public interest.

DISPOSITION

other

CASES CITED

- In re Standard Jury Instructions in Crim. Cases—Rep. No. 2007-4, 983 So. 2d 531 (Fla. 2008)
- Long v. Sec’y Dep’t of Corr., 924 F.3d 1171, 1176 (11th Cir.)
- Vital Pharms., Inc. v. Alfieri, 23 F.4th 1282, 1291 (11th Cir. 2022)
- Forsyth Cnty. v. U.S. Army Corp of Eng’rs, 633 F.3d 1032, 1039 (11th Cir.)
- Alabama v. U.S. Army Corps of Eng’rs, 424 F.3d 117, 1134 (11th Cir. 2005)
- United States v. Lambert, 695 F.2d 536, 539 (11th Cir.)

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