

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

Adewale Ebenezer Jones v. Nova Southeastern University, Inc.

Jones v. Nova Southeastern University · No. 8:25-cv-2595-TPB-NHA · Decided January 29, 2026

SUMMARY

The United States District Court for the Middle District of Florida granted Nova Southeastern University’s motion to dismiss Adewale Ebenezer Jones’s amended complaint, concluding that most claims were barred by res judicata and that the FERPA-related claims lacked a private right of action. The court denied Jones’s second motion for a preliminary injunction and his motions for sanctions, dismissed the case without leave to amend, and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	Tom Barber
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	January 29, 2026
DOCKET	8:25-cv-2595-TPB-NHA
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved to dismiss the amended complaint on res judicata grounds. Plaintiff also sought a second preliminary injunction and sanctions against Defendant and its counsel. The district court granted the motion to dismiss, denied the injunction motion, denied the sanctions motions, dismissed the amended complaint without leave to amend, and directed the Clerk to close the case.
STANDARD OF REVIEW	On a motion to dismiss, the court accepts well-pleaded factual allegations as true but need not accept legal conclusions couched as factual allegations. The court applied the legal elements of res judicata and evaluated the preliminary-injunction motion under the four-factor standard governing preliminary injunctive relief.
PRECEDENTIAL VALUE	unpublished

TOPICS

res judicata

motions to dismiss

injunctions

sanctions

civil procedure

PRACTICE AREAS

civil procedure

civil rights

education law

injunctive relief

QUESTIONS PRESENTED

1. Whether the claims based on Plaintiff's dismissal from and experiences at Nova Southeastern University were barred by res judicata because they had been raised or could have been raised in Plaintiff's prior action.
2. Whether Plaintiff's FERPA-related claims stated a legally cognizable private cause of action.
3. Whether Plaintiff was entitled to a second preliminary injunction.
4. Whether Defendant or its counsel should be sanctioned for filing the motion to dismiss or opposing preliminary injunctive relief.

HOLDINGS

1. Claims that Plaintiff brought or could have brought in the prior action, involving the same parties and the same common nucleus of operative facts, are barred by res judicata.
2. When a plaintiff fails to amend by a court-ordered deadline without obtaining an extension, the prior dismissal becomes a final judgment for res judicata purposes.
3. FERPA does not provide a private right of action, including through an action brought under 42 U.S.C. § 1983, and Plaintiff's FERPA-related claims were properly dismissed with prejudice.
4. Plaintiff was not entitled to a preliminary injunction because he could not demonstrate a substantial likelihood of success on the merits after dismissal of his complaint.
5. The motions for sanctions were properly denied because Defendant's motion to dismiss and opposition to preliminary injunctive relief were procedurally proper and legally and factually meritorious.

KEY QUOTATIONS

“The doctrine of res judicata bars the filing of claims which were raised or could have been raised in an earlier proceeding.”

“A preliminary injunction is an extraordinary and drastic remedy, and [the movant] bears the burden of persuasion to clearly establish all four of these prerequisites.”

FACTUAL BACKGROUND

Plaintiff attended Nova Southeastern University's Kiran C. Patel College of Osteopathic Medicine after being admitted in June or July 2022. He alleged that the university wrongfully dismissed him on purportedly false academic grounds, failed to provide due process, and failed to address reports of harassment, mistreatment, and discrimination. He also asserted claims concerning records allegedly requested under FERPA.

PROCEDURAL HISTORY

Plaintiff previously filed a substantially similar action, Case No. 8:25-cv-121-TPB-AAS. The court dismissed the amended complaint in that action with leave to amend, but Plaintiff failed to meet the amendment deadline; the court consequently treated the dismissal as a final judgment. While Plaintiff's appeal from that judgment was pending, he filed this action asserting substantially similar claims. The court dismissed the claims as barred by res judicata or, for the FERPA-related claims, for failure to state a viable private cause of action.

DISPOSITION

dismissed

CASES CITED

- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Papasan v. Allain, 478 U.S. 265, 286 (1986)
- Auto. Alignment & Body Serv., Inc. v. State Farm Mut. Auto Ins. Co., 953 F.3d 707, 719-21 (11th Cir. 2020)
- Ardis v. Anderson, 662 F. App'x 729, 730-31 (11th Cir. 2016)
- Dixon v. Bd. of Cnty. Com'rs Palm Beach Cnty., Fla., 518 F. App'x 607, 609 (11th Cir. 2013)
- Muhammad v. Sec'y, Fla. Dept. of Corrections, 739 F.3d 683, 688 (11th Cir. 2014)
- Diaz v. Moore, 861 F. Supp. 1041, 1048 (N.D. Fla. 1994)
- Jaffree v. Wallace, 837 F.2d 1461, 1467 (11th Cir. 1988)
- United States ex rel. Burr v. Blue Cross and Blue Shield of Florida, Inc., 153 F.R.D. 172, 175 (M.D. Fla. 1994)
- Gonzaga University v. Doe, 536 U.S. 273, 276 (2002)
- Ruiz v. Ringling College of Art and Design, Inc., 656 F. Supp. 3d 1340, 1352 (M.D. Fla. 2023)
- Schiavo ex rel. Schindler v. Schiavo, 403 F.3d 1223, 1225-26 (11th Cir. 2005)
- Roman Catholic Diocese of Brooklyn v. Cuomo, 592 U.S. 14, 16 (2020)
- Wreal, LLC v. Amazon.com, Inc., 840 F.3d 1244, 1247 (11th Cir. 2016)