

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

Alexander Justin McAfee v. State of Florida Attorney General, et al.

McAfee · No. 8:25-cv-2666-KKM-TGW · Decided December 9, 2025

SUMMARY

The United States District Court for the Middle District of Florida adopts a magistrate judge's Report and Recommendation and dismisses Alexander Justin McAfee's complaint with leave to amend. The court finds that the complaint is a shotgun pleading that fails to comply with Federal Rules of Civil Procedure 8 and 10 and does not establish that venue is proper in the Tampa Division. The court permits McAfee to file an amended complaint by December 23, 2025, warning that failure to amend or filing another shotgun pleading will result in dismissal.

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION
ALEXANDER JUSTIN McAFEE, Plaintiff, v. Case No. 8:25-cv-2666-KKM-TGW State of
Florida Attorney General, et al. Defendants. ORDER The United States Magistrate Judge
recommends, R. & R. (Doc. 3), dismissing pro se plaintiff Alexander McAfee's complaint, (Doc.
1), with leave to amend.

The deadline to object has passed without an objection. After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify a magistrate judge's Report and Recommendation. 28 U.S.C. § 636(b)(1). If a party files a timely and specific objection to a finding of fact by a magistrate judge, the district court must conduct a de novo review of that factual issue.

Stokes v. Singletary, 952 F.2d 1567, 1576 (11th Cir. 1992). The district court reviews legal conclusions de novo, even absent an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Ashworth v. Glades Cnty. Bd. of Cnty. Comm'rs, 379 F. Supp. 3d 1244, 1246 (M.D. Fla. 2019). Absent an objection and after reviewing the factual allegations and legal conclusions, the Court adopts the Magistrate Judge's Report and Recommendation.

As explained in the Report and Recommendation, the complaint is a shotgun pleading that fails to adhere to Rules 8 and 10 of the Federal Rules of Civil Procedure. See R. & R. at 3. The complaint forces the Court and defendants to "sift through a multitude of irrelevant information" to determine what is material to the claims asserted. *Jd.* at 4. Lastly, the complaint fails to demonstrate that venue in this district is appropriate since the events giving rise to the claim occurred in Gainesville, Florida.

Id. at 5. Accordingly, the following is ORDERED: 1. The Magistrate Judge's Report and Recommendation (Doc. 3) is ADOPTED and made a part of this Order for all purposes. 2. McAfee's Complaint (Doc. 1) is DISMISSED. 3. No later than December 23, 2025, McAfee may file an amended complaint addressing the deficiencies identified in the Report and Recommendation.

Should he file an amended complaint, McAfee must include allegations showing that venue in this district is appropriate. If McAfee fails to file an amended complaint, or files another shotgun complaint, this action will be dismissed. ORDERED in Tampa, Florida, on December 9, 2025.
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