

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

Heather Landry v. Tropical Auto Sales & Rent to Own LLC

Landry · No. 6:24-cv-01994-ACC-DCI · Decided December 4, 2025

SUMMARY

The United States District Court for the Middle District of Florida denied Plaintiff Heather Landry's renewed motion for entry of default judgment against Tropical Auto Sales & Rent to Own LLC because she failed to address deficiencies concerning whether the complaint adequately stated claims under the Florida Civil Rights Act and Title VII. The court granted leave to file an amended complaint and ordered re-service if required, setting a filing deadline.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Orlando Division
WRITING FOR THE COURT	Daniel C. Irick
JURISDICTION	United States District Court for the Middle District of Florida, Orlando Division
DECIDED	December 4, 2025
DOCKET	6:24-cv-01994-ACC-DCI
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff renewed her motion for entry of default final judgment after the Clerk entered default against Defendant. Plaintiff alternatively sought leave to amend the complaint. The court denied default judgment and granted leave to amend.
STANDARD OF REVIEW	Before entering default judgment, the court must independently confirm subject-matter jurisdiction, adequate service of process, and that the complaint states a claim upon which relief can be granted. Well-pleaded factual allegations are admitted by default, but legal conclusions and insufficient pleadings do not establish entitlement to default judgment.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order

TOPICS

default judgment

motion to amend

service of process

subject matter jurisdiction

employment discrimination

PRACTICE AREAS

civil procedure

employment discrimination

civil rights

remedies

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to entry of default judgment when the renewed motion failed to establish that the complaint's well-pleaded allegations were sufficient to impose liability under the Florida Civil Rights Act and Title VII.
2. Whether Plaintiff should be granted leave to file an amended complaint after the renewed motion for default judgment was denied.

HOLDINGS

1. Default judgment was not warranted because Plaintiff's renewed motion failed to address the previously identified deficiencies concerning the elements of the claims and the legal authority showing that the complaint's allegations were sufficient to impose liability under the Florida Civil Rights Act and Title VII.
2. Plaintiff was granted leave to file an amended complaint and to re-serve Defendant if necessary.

KEY QUOTATIONS

"If a plaintiff's complaint fails to state a claim, a default judgment cannot stand." (Legal Standard)

"Accordingly, the Motion is denied to the extent Plaintiff seeks entry of default judgment." (Discussion)

"Plaintiff's request for leave to file an amended Complaint is GRANTED." (Conclusion ¶ 1(b))

FACTUAL BACKGROUND

Heather Landry sued Tropical Auto Sales & Rent to Own LLC alleging gender-based hostile work environment and retaliation under the Florida Civil Rights Act and Title VII. Defendant failed to defend, and the Clerk entered default on January 9, 2025. Landry's first default-judgment motion was denied without prejudice because of deficiencies concerning jurisdiction, service, and the sufficiency of the pleaded claims. Her renewed motion repeated nearly the same substantive material and did not cure the deficiencies concerning the elements of the claims or supporting legal authority.

PROCEDURAL HISTORY

Plaintiff filed the action asserting hostile-work-environment and retaliation claims under the Florida Civil Rights Act and Title VII. After Defendant failed to plead or otherwise defend, the Clerk entered default. The court denied Plaintiff's first motion for default judgment without prejudice because Plaintiff had not established subject-matter jurisdiction, service of process, or that the complaint's allegations adequately supported liability.

Plaintiff filed a renewed motion, which again failed to address the pleading deficiencies, and alternatively requested leave to amend.

DISPOSITION

other

CASES CITED

- Univ. of S. Ala. v. Am. Tobacco Co., 168 F.3d 405, 410 (11th Cir. 1999)
- Anderson v. Blueshore Recovery Sys., LLC, 2016 WL 1317706, at *2 (M.D. Fla. Feb. 25, 2016), report and recommendation adopted, 2016 WL 1305288 (M.D. Fla. Apr. 4, 2016)
- Chudasama v. Mazda Motor Corp., 123 F.3d 1353, 1370 n.41 (11th Cir. 1997)
- Nishimatsu Constr. Co. v. Houston Nat'l Bank, 515 F.2d 1200, 1206 (5th Cir. 1975)
- Pardazi v. Cullman Med. Ctr., 896 F.2d 1313, 1317 (11th Cir. 1990)
- Poitevint v. Dynamic Recovery Servs., Inc., 2011 WL 201493, at *1 (M.D. Fla. Jan. 20, 2011)