

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

**Deanthony A. Jackson, Robert Davis, Norman Sawyers, and Calvin
Martin v. Judge Stephen Whyte, et al.**

Jackson v. Whyte · No. 8:26-cv-152-JLB-AAS · Decided February 11, 2026

SUMMARY

The United States District Court for the Middle District of Florida dismissed without prejudice a single § 1983 complaint filed jointly by four pretrial detainees. The court held that the Prison Litigation Reform Act requires each prisoner to file a separate action and pay the full filing fee or individually seek in forma pauperis status. The court also denied the motion to initiate a class action because pro se prisoners may not represent other inmates.

OPINION

Whyte

PER CURIAM.

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA

TAMPA DIVISION

DEANTHONY A. JACKSON, et al., Plaintiffs, v. CASE NO. 8:26-cv-152-JLB-AAS JUDGE
STEPHEN WHYTE, et al., Defendants. _____/

ORDER

Plaintiffs Deanthony Jackson, Robert Davis, Norman Sawyers, and Calvin Martin are pre-trial detainees at Manatee County Jail (MCJ) who initiated this action, pro se, by filing a single complaint under 42 U.S.C. § 1983 (Doc. 1) and a motion to initiate a class action lawsuit. (Doc. 2). Plaintiffs neither paid the filing fee nor moved to proceed in forma pauperis. Allegations Each Plaintiff challenges their current criminal proceedings. Plaintiff Davis alleges that Judge Whyte has conspired with the victim and the prosecutor to violate his supervised release, prevent him from accessing exculpatory evidence, and deny him a dismissal of the charges based on a speedy trial violation. Plaintiff Jackson alleges that Judge Mecurio and 1 Public Defender Lerry Egen have conspired to keep him illegally detained. Plaintiff Sawyer alleges that Assistant Public Defender Tamayo rendered ineffective assistance by failing to raise a viable defense. And Plaintiff Martin alleges that Assistant Public Defender Wright rendered ineffective assistance by failing to show him discovery and by failing to file a motion to dismiss the charges against him. Discussion The complaint must be dismissed without prejudice. The Prison Litigation Reform Act of 1995 (PLRA) prohibits multiple prisoners from avoiding payment of a filing fee by joining claims in a

single case. See *Hubbard v. Haley*, 262 F.3d 1194, 1198 (11th Cir. 2001). Thus, to comply with the PLRA, each prisoner must file a separate action in which he is responsible for the full filing fee. See *id.* (upholding the district court's dismissal of the lawsuit wherein the multiple-prisoner plaintiffs sought to proceed together in forma pauperis). To the extent that Plaintiffs seek to bring a class action on behalf of themselves and other detainees at MCJ, a pro se plaintiff may not represent the interests of other prisoners. See, e.g., *Wallace v. Smith*, 145 F. App'x 300, 302 (11th Cir. 2005) (per curiam) (citing *Oxendine v. Williams*, 509 F.2d 1405, 2 1407 (4th Cir. 1975) ("plain error to permit [an] imprisoned litigant who is unassisted by counsel to represent his fellow inmates in a class action")). Accordingly, it is ORDERED that:

1. The complaint (Doc. 1) is DISMISSED WITHOUT PREJUDICE.

Each Plaintiff may re-file by individually filing his complaint in a new case with a new case number and either paying the full filing fee or submitting an individual motion to proceed in forma pauperis with a supporting financial affidavit if he cannot afford to pay the filing fee in its entirety.

2. The motion to initiate a class action lawsuit (Doc. 2) is DENIED.

3. The Clerk is DIRECTED to (1) close this case and (2) send to each plaintiff a civil rights complaint form and a motion for leave to proceed in forma pauperis form with their copies of this Order. DONE and ORDERED in Tampa, Florida, on February 11, 2026.

JOHN L. BADALAMENTI

UNITED STATES DISTRICT JUDGE