

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

**Andrew Bryant Sheets v. Matthew Woelk, in Personal Capacity; City
of Punta Gorda, Capacity; Ron Janz, in Personal Capacity; Michelle
Maldonado-Flores, in Personal Capacity; and Cody Waldrop, in
Personal Capacity**

Sheets · No. 2:25-cv-61-KCD-DNF · Decided January 8, 2026

SUMMARY

The United States District Court for the Middle District of Florida dismissed with prejudice Andrew Bryant Sheets’s 42 U.S.C. § 1983 conspiracy claim against Michelle Maldonado-Flores. The court held that the alleged facts did not establish that Maldonado-Flores acted under color of state law or reached an agreement with police to violate Sheets’s constitutional rights. The court also ordered Sheets to show cause why sanctions and attorney fees should not be imposed under Federal Rule of Civil Procedure 11.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
WRITING FOR THE COURT	Kyle C. Dudek
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	January 8, 2026
DOCKET	2:25-cv-61-KCD-DNF
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 conspiracy claim against private employee Michelle Maldonado-Flores, alleging that she acted jointly with police officers to violate his First Amendment rights. The court considered Maldonado-Flores's motion to dismiss the second amended complaint under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded facts as true and draws reasonable inferences in the plaintiff's favor, but need not accept conclusory allegations or legal conclusions. The complaint

	must contain sufficient factual matter to state a claim that is plausible on its face.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive rather than precedential.
PARTIES	Andrew Bryant Sheets v. Matthew Woelk, City of Punta Gorda, Ron Janz, Michelle Maldonado-Flores, Cody Waldrop

TOPICS

motions to dismiss

section 1983

free speech

civil procedure

sanctions

PRACTICE AREAS

civil rights

constitutional law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether Sheets plausibly alleged that Maldonado-Flores was a state actor under § 1983 under the public-function, state-compulsion, or nexus/joint-action tests.
2. Whether allegations that Maldonado-Flores answered a police officer's question, provided information, and allegedly knew of facility rules plausibly established a conspiracy or agreement with police to violate Sheets's constitutional rights.
3. Whether dismissal with prejudice was appropriate because further amendment would be futile.
4. Whether the court should require Sheets to show cause why sanctions and attorney fees should not be imposed under Federal Rule of Civil Procedure 11.

HOLDINGS

1. Sheets failed to plausibly allege that Maldonado-Flores, an alleged private employee, acted under color of state law. Managing a conference center was not a function traditionally and exclusively reserved to the State, the complaint did not allege state coercion or significant encouragement, and the alleged interaction with police did not establish the required nexus or joint action.
2. Sheets did not plausibly allege a § 1983 conspiracy because he identified no particularized facts showing that Maldonado-Flores and the police reached an understanding or shared an unlawful objective to violate his constitutional rights.
3. Dismissal with prejudice was warranted because Sheets had received specific guidance concerning the pleading defect, had amended his pleading, and still alleged only bare conclusions; further amendment would therefore be futile.
4. The court ordered Sheets to show cause why he should not be sanctioned and required to pay Maldonado-Flores's attorney fees for allegedly pursuing a frivolous claim after being advised of its pleading deficiencies.

KEY QUOTATIONS

“But federal courts have long drawn a sharp line between cooperation and conspiracy.” (Discussion)

“Because the defect here—the lack of state action—is a fundamental legal hurdle that no amount of creative labeling can clear, further amendment would be futile.” (Conclusion)

FACTUAL BACKGROUND

Sheets protested on a public sidewalk outside the Charlotte Harbor Event and Conference Center concerning an alleged unconstitutional database of gun owners. Police arrived after a private security guard called 911, and Officer Woelk asked Maldonado-Flores whether anyone had complained about Sheets; she answered that no one had complained and provided her identification. Despite the lack of a complaint, Woelk issued Sheets a trespass warning. Sheets relied primarily on the officer's body-camera footage and Maldonado-Flores's knowledge of facility rules to allege that she joined a conspiracy with the police.

PROCEDURAL HISTORY

Sheets was previously advised at a hearing that conclusory conspiracy allegations were insufficient and that he needed to plead specific facts showing an agreement to violate his rights. He filed an amended pleading, but the court found that it still contained no nonconclusory facts establishing state action or a conspiracy. The court granted the motion to dismiss with prejudice, terminated Maldonado-Flores from the docket, and ordered Sheets to show cause why sanctions and attorney fees should not be imposed.

DISPOSITION

dismissed

CASES CITED

- *Andre v. Clayton Cnty., Georgia*, 148 F.4th 1282, 1291 (11th Cir. 2025)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *MSP Recovery Claims, Series LLC v. Metro. Gen. Ins. Co.*, 40 F.4th 1295, 1302 (11th Cir.)
- *Coral Ridge Ministries Media, Inc. v. Amazon.com, Inc.*, 6 F.4th 1247, 1251 (11th Cir.)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Focus on the Fam. v. Pinellas Suncoast Transit Auth.*, 344 F.3d 1263, 1277-78 (11th Cir.)
- *Harvey v. Harvey*, 949 F.2d 1127, 1130 (11th Cir.)
- *Rendell-Baker v. Kohn*, 457 U.S. 830, 842 (1982)
- *Grogan v. Blooming Grove Volunteer Ambulance Corps*, 768 F.3d 259, 265 (2d Cir.)
- *Arline v. City of Jacksonville*, 359 F. Supp. 2d 1300, 1311-12 (M.D. Fla.)
- *Holmes v. Dillard's Dep't Store*, No. CV424-012, 2024 WL 1298029, at *1 (S.D. Ga. Feb. 20, 2024)
- *Kelly v. Broward Sheriff's Off. Dep't of Det.'s*, 560 F. App'x 818, 821 (11th Cir.)
- *Charles v. Johnson*, 18 F.4th 686, 696 (11th Cir.)
- *Smith v. Lifeline Animal Project, Inc.*, No. 1:22-CV-2325-SEG, 2024 WL 1243022, at *5 (N.D. Ga. Feb. 16, 2024)

- Pittman v. State Farm Fire & Cas. Co., 662 F. App'x 873, 880 (11th Cir.)
- Occhino v. Lannon, 150 F.R.D. 613, 623 (D. Minn.)
- Rowe v. City of Fort Lauderdale, 279 F.3d 1271, 1283 (11th Cir.)
- Pepe v. Lajqi, No. 3:25CV565/MCR/ZCB, 2025 WL 2815671, at *3 (N.D. Fla. Aug. 1, 2025)
- Lugar v. Edmondson Oil Co., 457 U.S. 922, 936 (1982)
- Godwin v. Marsh, 266 F. Supp. 2d 1355, 1360 (M.D. Ala.)

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