

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

Louis Matthew Clements v. Mark Glass

Clements · No. 2:24-cv-197-JES-NPM · Decided December 31, 2025

SUMMARY

The United States District Court for the Middle District of Florida denied Louis Matthew Clements’s request for a temporary restraining order and injunctive relief concerning his sex-offender registration and residency restrictions. The court took his request for reconsideration of the prior dismissal order under advisement pending a response from the opposing party.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
WRITING FOR THE COURT	E. Steele
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	December 31, 2025
DOCKET	2:24-cv-197-JES-NPM
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed Plaintiff's emergency motion under Federal Rule of Civil Procedure 60(b) seeking a temporary restraining order, permanent injunction, and reconsideration of the court's prior dismissal order.
STANDARD OF REVIEW	A temporary restraining order is evaluated under the same standard as a preliminary injunction. The movant must clearly establish a substantial likelihood of success on the merits, irreparable injury absent relief, lack of substantial harm to the opposing litigant, and consistency with the public interest.
PRECEDENTIAL VALUE	Unknown; district court opinion with no reported citation
PARTIES	Louis Matthew Clements v. Mark Glass, in his official capacity as Commissioner of FDLE

TOPICS

injunctions

motion for reconsideration

civil procedure

remedies

PRACTICE AREAS

civil procedure

injunctive relief

constitutional law

QUESTIONS PRESENTED

1. Whether Plaintiff established the prerequisites for a temporary restraining order or preliminary injunction barring enforcement of his sex-offender registration requirement.
2. Whether the asserted timing of Plaintiff's registration created an emergency warranting immediate injunctive relief before an opportunity for the opposing party to respond.
3. Whether Plaintiff's request for reconsideration of the April 8, 2025 dismissal order should be resolved immediately.

HOLDINGS

1. Plaintiff was not entitled to injunctive relief because he failed to clearly plead or establish any of the four required prerequisites for a temporary restraining order or preliminary injunction.
2. Plaintiff did not demonstrate an emergency warranting immediate injunctive relief before an opportunity for the opposing party to respond.

KEY QUOTATIONS

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

FACTUAL BACKGROUND

Plaintiff was convicted in 2008 of lewd and lascivious conduct with a minor female in violation of Florida Statutes section 800.04(6). As a result, he remains subject to lifetime sex-offender registration and residency restrictions and asserted that he was scheduled to register by the end of December 2025. He sought immediate relief barring the State from requiring his registration, although the dismissal order he challenged had been entered approximately eight months earlier.

PROCEDURAL HISTORY

The court had dismissed the underlying action without prejudice as to claims challenging Plaintiff's 2008 conviction and with prejudice as to his remaining claims in an April 8, 2025 order. Plaintiff then filed an emergency motion seeking to bar enforcement of his sex-offender registration obligations and requesting reconsideration of the dismissal. The court denied the motion insofar as it sought injunctive relief and took the reconsideration request under advisement pending a response.

DISPOSITION

CASES CITED

- Parker v. State Bd. of Pardons & Paroles, 275 F.3d 1032, 1034-35 (11th Cir. 2001)
- Windsor v. United States, 379 F. App'x 912, 916-17 (11th Cir. 2010)
- Barber v. Governor of Alabama, 73 F.4th 1306, 1317 (11th Cir. 2023), cert. denied sub nom. Barber v. Ivey, 143 S. Ct. 2545 (2023)
- Chavez v. Fla. SP Warden, 742 F.3d 1267, 1271, 1273 (11th Cir. 2014)
- Wreal, LLC v. Amazon.com, Inc., 840 F.3d 1244, 1247 (11th Cir. 2016)
- Bravado Intern. Group Merch. Services, Inc. v. Smith, No. 8:12-CV-613-T-23EAJ, 2012 WL 1155858, at *1 (M.D. Fla. Mar. 27, 2012)
- Plant v. Does, 19 F. Supp. 2d 1316, 1318 (S.D. Fla. 1998)
- Brockum Int'l, Inc. v. Various John Does, 551 F. Supp. 1054, 1055 (E.D. Wis. 1982)

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS
DIVISION LOUIS MATTHEW CLEMENTS, Plaintiff, v. Case No: 2:24-cv-197-JES-NPM
MARK GLASS, in his official capacity as Commissioner of FDLE, Defendant. OPINION AND
ORDER This matter comes before the Court on review of “Plaintiffs’ Emergency 60b Motion for
Relief Temporary Restraining Order and Permanent Injunction” (Doc. #90) filed on December 30,
2025, by Plaintiff Louis Matthew Clements (“Clements”).

Clements seeks reconsideration of the Court’s April 8, 2025, Order (Doc. #87) dismissing the
underlying action without prejudice as to those portions challenging Clements's 2008 conviction of
lewd and lascivious conduct with a minor female in violation of Fla. Stat. § 800.04(6) and
otherwise dismissing Clements’s claims for relief with prejudice. Pertinently, as a result of his
2008 conviction, Clements was and continues to be subject to the lifetime requirement of
registration and residency restrictions as a sex offender.

According to Clements, he “is scheduled to register by the end of this month.” Accordingly, he
asks the Court to issue “[a]n immediate temporary restraining order followed by a permanent
injunction barring the state from forcing [his] registration on the [Florida Sex Offender
R]egistry[.]” because 1 the Court’s dismissal Order was in error. (Doc. #90, p. 2.)

The standard for obtaining a temporary restraining order is identical to that of obtaining a
preliminary injunction. Parker v. State Bd. of Pardons & Paroles, 275 F.3d 1032, 1034-35 (11th
Cir. 2001); Windsor v. United States, 379 F. App'x 912, 916–17 (11th Cir. 2010). A party seeking
injunctive relief must establish that “(1) he has a substantial likelihood of success on the merits,
(2) he will suffer irreparable injury unless the injunction or stay issues, (3) the injunction or stay

would not substantially harm the other litigant, and (4) if issued, the injunction or stay would not be adverse to the public interest.” Barber v. Governor 1 The Court notes that despite Clements’s assertion that emergency relief is warranted since he is scheduled to register at the end of the month, the Dismissal Order (Doc. #87) for which Clements now seeks reconsideration was entered in April 2025 (approximately eight months preceding the instant Motion).

Federal Courts generally disfavor “manufactured emergencies” wherein a party waits until the eleventh hour to request injunctive relief. See *Bravado Intern. Group Merch. Services, Inc. v. Smith*, No. 8:12- CV-613-T-23EAJ, 2012 WL 1155858, at *1 (M.D. Fla. Mar. 27, 2012); *Plant v. Does*, 19 F.Supp.2d 1316, 1318 (S.D.Fla.1998); *Brockum Int’l, Inc. v. Various John Does*, 551 F.Supp. 1054, 1055 (E.D.Wis.1982). of Alabama, 73 F.4th 1306, 1317 (11th Cir.

2023), cert. denied sub nom. Barber v. Ivey, 143 S. Ct. 2545 (2023) (quoting *Chavez v. Fla. SP Warden*, 742 F.3d 1267, 1271, 1273 (11th Cir. 2014)). “A preliminary injunction is an ‘extraordinary and drastic remedy,’ and [Plaintiff] bears the ‘burden of persuasion’ to clearly establish all four of these prerequisites.” *Wreal, LLC v. Amazon.com, Inc.*, 840 F.3d 1244, 1247 (11th Cir.

2016) (citation omitted). To the extent the Court construes Clements’ Motion as a request for emergency relief, Clements has failed to clearly plead any of the requisite elements. Because such failure is fatal to any request for an injunction, it is apparent Clements has not met his burden to issue the Temporary Restraining Order.

In any event, the Court finds no emergency articulated by Clements that would warrant relief before an opportunity to respond. Clements’s Motion for Reconsideration will remain under advisement pending a response. Accordingly, it is now ORDERED: 1. Plaintiff’s Motion (Doc. #90) is denied insofar as he requests injunctive relief. 2. Plaintiff’s Motion (Doc. #90) is taken under advisement pending an opportunity to respond insofar as he requests reconsideration of the April 8, 2025 Order (Doc. #87) dismissing the underlying action.

DONE AND ORDERED at Fort Myers, Florida, this 31st day of December 2025. JGH E. STEELE 5 IOR UNITED STATES DISTRICT JUDGE Copies: Parties of record