

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

**Benjamin Joseph Ligieri v. Amazon.com, Inc.**

Ligieri v. Amazon.com, Inc. · No. 6:25-cv-2119-AGM-LHP · Decided January 14, 2026

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**OPINION**

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION BENJAMIN JOSEPH LIGIERI, Plaintiff, v. Case No: 6:25-cv-2119-AGM-LHP AMAZON.COM, INC., Defendant ORDER Before the Court is Plaintiff's Renewed Motion for Leave to File and Deem First Amended Complaint Operative, to Consider Plaintiff's Emergency TRO and Preliminary Injunction, and for Authorization to File Via CM ECF (With Memorandum of Law).

Doc. No. 27. Defendant opposes in part, with respect to the filing of an amended complaint. Doc. No. 29. As relevant, Plaintiff seeks to file an amended complaint in accordance with the Court's prior order giving him through November 30, 2025 to do so. See Doc. No. 15. Plaintiff missed that deadline, but says it was due to "a convergence of extraordinary and time-sensitive circumstances," to include holidays, "practical limitations of paper filing as a pro se litigant, illness, and Plaintiff's temporary travel without access to a computer, and the need to carefully review and comply with this District's fastidious Local Rules and formatting requirements." Doc.

No. 27, at 3. Defendant, on the other hand, contends that Plaintiff's proposed amendment is in bad faith and futile as demonstrated by a pending motion to transfer (Doc. No. 8), and it is unsupported by good cause for the delay. Doc. No. 29. Given that the Court previously found leave to amend appropriate, see Doc. No. 15, and in light of Plaintiff's pro se status and the representations made in the motion, and although the issue of excusable neglect is a close one (see Fed.

R. Civ. P. 6(b)(1)(B)), the Court finds an extension of the November 30, 2025 deadline for filing the amended complaint appropriate. Accordingly, to the extent that Plaintiff's motion (Doc. No. 27) requests leave to file an amended complaint, the motion will be GRANTED. Plaintiff shall file an amended complaint within fourteen (14) days of the date of this Order.<sup>1</sup> The remainder of Plaintiff's requests, however, are DENIED for the same reasons previously set forth by the Court.

See Doc. No. 26. Specifically, once Plaintiff files his amended complaint, it does not appear that he would require leave of Court to file a renewed motion for temporary restraining order/preliminary injunction. And although Plaintiff renews his request for access to CM/ECF, the 1 The Court will not entertain Plaintiff's request to consider a previous proposed amended complaint attached to a prior motion, see Local Rule 3.01(h), and instead, Plaintiff must make a

separate filing. renewed motion again does not establish good cause or extenuating circumstances in support.

See, e.g., *Clifft v. Sch. Dist. of Lee Cnty.*, No. 2:25-cv-345-JES-DNF, 2025 WL 3012038, at \*2 (M.D. Fla. Oct. 28, 2025), reconsideration denied, No. 2:25-cv-345- JES-DNF, 2025 WL 3080533 (M.D. Fla. Nov. 4, 2025) (affirming denial of CM/ECF access to pro se litigants, finding that unpredictable delays and mail delivery risks, complexity of the case, and inability to obtain legal counsel did not rise to the level necessary to justify CM/ECF access).’ DONE and ORDERED in Orlando, Florida on January 14, 2026.

LESLIE NOFFMAN PRICE UNITED STATES MAGISTRATE JUDGE Copies furnished to: Counsel of Record Unrepresented Parties 2 To the extent that Defendant seeks affirmative relief in response to the motion, such that if leave to amend is permitted the Court concurrently grant its motion to transfer, see Doc. No. 29, at 12 n.5, the request is denied for two reasons.

First, “[i]t is not appropriate to seek an order for affirmative relief in a response to a motion.” See *Armington v. Dolgencorp. Inc.*, No. 3:07-cv-1130-J-JRK, 2009 WL 210723, at \*2 (M.D. Fla. Jan. 20, 2009). Second, the motion to transfer (Doc. No. 8) remains pending before the presiding District Judge, and the undersigned declines to speak to its merits. Qo