

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION

Reverend Cynthia Cotto GRIMES,
Art YOUNG, and Dennis MCFATTEN,
Plaintiffs,

v.

CASE NO.: 2020-CA-000908

FLORIDA DEPARTMENT OF STATE,
FLORIDA DIVISION OF ELECTIONS,
and Laurel M. LEE, Secretary of State of Florida,
Defendants.

**ORDER GRANTING WITHOUT PREJUDICE DEPARTMENT DEFENDANTS'
MOTION TO DISMISS PLAINTIFFS' VERIFIED SECOND
AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

THIS CAUSE came before the Court for telephonic hearing on July 14, 2020, on the Motion to Dismiss with Prejudice Plaintiffs' Verified Second Amended Complaint for Declaratory and Injunctive Relief filed July 7, 2020, by Defendants, Florida Department of State, Florida Division of Elections, and Laurel M. Lee, Secretary of State. Having considered the Motion, Plaintiffs' Response filed July 10, 2020, arguments of counsel, the Court file, and applicable law, the Court **GRANTS** without prejudice Defendants' Motion to Dismiss Plaintiffs' Verified Second Amended Complaint.

The Court **FINDS** that Plaintiffs' Verified Second Amended Complaint fails to state a justiciable controversy at this time. Rather, the allegations appear to seek an advisory opinion. Plaintiffs have not alleged a burden or harm personal to them. No difficulty is alleged in requesting a vote-by-mail ballot or otherwise voting by mail. Further, there is no specific constitutional claim or violation alleged.

Additionally, the Supervisors of Elections for Marion and Miami-Dade counties are indispensable parties to this action but have not been named herein.

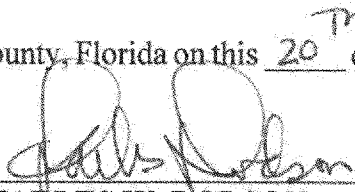
WHEREFORE it is **ORDERED** and **ADJUDGED** that:

1. The Motion to Dismiss Plaintiffs' Second Amended Verified Complaint filed by Defendants, Florida Department of State, Florida Division of Elections, and Laurel M. Lee, Secretary of State, is **GRANTED**;

2. Plaintiffs' Second Amended Verified Complaint is **DISMISSED** without prejudice;
and

3. If Plaintiffs wish to file a third amended complaint, they shall **file and serve it within ten (10) days**.

DONE and ORDERED in Tallahassee, Leon County, Florida on this 20th day of July, 2020.



CHARLES W. DODSON
CIRCUIT JUDGE

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