

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 DEPARTMENT DEFENDANTS' AMENDED MOTION TO STRIKE
PLAINTIFFS' THIRD AMENDED COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF
AND
ORDER DISMISSING CASE FILED BY CYNTHIA COTTO GRIMES, ART YOUNG, AND
DENNIS MCFATTEN WITH PREJUDICE**

THIS CAUSE came before the Court for telephonic hearing on August 12, 2020, on Defendants, Florida Department of State, Florida Division of Elections, and Laurel M. Lee, Secretary of State's, Amended Motion to Strike Plaintiffs' Third Amended Complaint for Declaratory and Injunctive Relief and Motion to Dismiss Case Filed by Cynthia Cotto Grimes, Art Young, and Dennis McFatten with Prejudice ("Amended Motion"). Having considered the Amended Motion, Plaintiffs' Response filed August 8, 2020, arguments of counsel, the Court file, and applicable law, the Court **GRANTS** the Department Defendants' Amended Motion, **STRIKES** Plaintiffs' Third Amended Complaint for Declaratory and Injunctive Relief, and **DISMISSES** the above-captioned case filed by Cynthia Cotto Grimes, Art Young, and Dennis McFatten **with prejudice**.

The Court **FINDS** as follows:

The Court, by Order dated July 20, 2020, dismissed without prejudice the Second Amended Verified Complaint filed by Plaintiffs, Cynthia Cotto Grimes, Art Young, and Dennis McFatten, and gave them ten (10) days to file and serve a third amended complaint. The leave to amend was granted


to these specific Plaintiffs. Cynthia Cotto Grimes, Art Young, and Dennis McFatten did not file a third amended complaint.

The new Plaintiffs, Lily Aaronson and Farm Workers Association of Florida, are brand new to this suit. Substitution is not proper under Florida Rule of Civil Procedure 1.260 because none of the circumstances giving rise to substitution are present in this case. Should Lily Aaronson and Farm Workers Association of Florida wish to assert claims, they would need to file a new lawsuit.

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

1. The Amended Motion to Strike Plaintiffs' Third Amended Complaint for Declaratory and Injunctive Relief and Motion to Dismiss Case Filed by Cynthia Cotto Grimes, Art Young, and Dennis McFatten with Prejudice is **GRANTED**;
 2. The Third Amended Complaint for Declaratory and Injunctive Relief is **STRICKEN**;
- and
3. The above-captioned case filed by Cynthia Cotto Grimes, Art Young, and Dennis McFatten, is **DISMISSED with prejudice**.

DONE and **ORDERED** in Tallahassee, Leon County, Florida on this 13th day of August, 2020.



CHARLES W. DODSON
CIRCUIT JUDGE

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