

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 23-80015-CIV-CANNON

JOHN ANTHONY CASTRO,

Plaintiff,

v.

DONALD J. TRUMP,

Defendant.

ORDER GRANTING DEFENDANT’S MOTION TO DISMISS AND CLOSING CASE

THIS CAUSE comes before the Court upon Defendant’s Motion to Dismiss (the “Motion”), filed on February 15, 2023 [ECF No. 18]. The Court has reviewed the Amended Complaint [ECF No. 7], the Motion [ECF No. 18], Plaintiff’s Response in Opposition [ECF No. 26], Defendant’s Reply [ECF No. 28], and the full record. Upon full review, and accepting as true the allegations in the Amended Complaint [ECF No. 7],¹ the Motion [ECF No. 18] is **GRANTED**. Plaintiff’s Complaint is **DISMISSED** for lack of Article III standing and ripeness. Because Plaintiff has not alleged concrete harm or ripeness as required under Article III, the Court need not consider the merits of Defendant’s additional arguments.

Accordingly, it is hereby **ORDERED AND ADJUDGED** as follows:

1. Defendant’s Motion to Dismiss [ECF No. 18] is **GRANTED**.
2. Plaintiff’s Amended Complaint [ECF No. 7] is **DISMISSED WITHOUT PREJUDICE**.

¹ The Court previously granted Plaintiff leave to file an amended complaint after dismissing his initial Complaint as a shotgun pleading [ECF No. 6 p. 6].

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3. Plaintiff's Motion for Ruling and to Expedite Consideration [ECF No. 30] is **DENIED AS MOOT.**

4. The Clerk is directed to **CLOSE** this case.

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 23rd day of June 2023.

A handwritten signature in black ink, appearing to read 'Aileen Cannon', written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record