

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

JACQUELINE JONES,

Plaintiff,

vs.

Case No. 3:09-cv-1170-J-34JRK

THOMAS ARNOLD, in his official capacity
as Secretary, Florida Agency for Health
Care Administration, and

DR. ANNA VIAMONTE ROSS, in her
official capacity as Secretary, Florida
Department of Health,

Defendants.

_____ /

ORDER¹

THIS CAUSE is before the Court on Plaintiff's Notice of Status Regarding Plaintiff's Preliminary Injunction (Doc. No. 47; Notice), filed on February 22, 2010. On January 6, 2010, the parties filed a notice advising the Court that Defendants were awaiting a notification of the level of care from Comprehensive Assessment and Referral for Long Term Care Services, a prerequisite to authorizing services for Plaintiff. See Notice of Parties' Agreed Briefing Schedule and Hearing Date (Doc. No27) at 1. The parties represented that they would file a status report on February 1, 2010, regarding Plaintiff's requested services.

¹ This is a "written opinion" under § 205(a)(5) of the E-Government Act and therefore is available electronically. However, it has been entered only to decide the motion addressed herein and is not intended for official publication or to serve as precedent.

See id. at 2. However, the parties failed to file a status report by that date. See February 8, 2010 Order (Doc. No. 44) at 1.

Based upon the representations in Plaintiff's Motion for Leave to Amend First Amended Class Action Complaint (Doc. No. 36) and Defendants' Response and Memorandum of Law in Opposition to Plaintiff's Motion for Leave to Amend First Amended Class Action Complaint (Doc. No. 42), it appeared to the Court that the issues raised in Plaintiff Jacqueline Jones' Motion for Preliminary Injunction and Expedited Hearing and Memorandum in Support (Doc. No. 2; Motion) were moot. See id. Nevertheless, out of an abundance of caution, the Court directed the parties to file a notice on this matter. See id. at 1-2. Plaintiff has complied with the Court's directive and indicates that she has been placed in the TBI/SCI Waiver Program and is currently receiving the community-based services she requested. See Notice at 1. Accordingly, Plaintiff agrees with the Court's assessment that the Motion is moot. See id.

In light of the foregoing, it is hereby **ORDERED**:

Plaintiff Jacqueline Jones' Motion for Preliminary Injunction and Expedited Hearing and Memorandum in Support (Doc. No. 2; Motion) is **DENIED as MOOT**.

DONE AND ORDERED in Jacksonville, Florida, this 23rd day of February, 2010.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:
Counsel of Record