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\*\*\*\*\*  
22-13613-H  
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\*\*\*\*\*  
UNITED STATES COURT OF APPEALS  
ELEVENTH CIRCUIT  
\*\*\*\*\*

\*\*\*\*\*  
ELIAS MAKERE, FSA, MAAA  
(Appellant/Plaintiff)

v.

HON. E. GARY EARLY, ALJ  
(Appellee/Defendant)  
\*\*\*\*\*

On Appeal From The  
United States District Court, Florida, Northern District  
4:21-cv-000096

\*\*\*\*\*  
APPENDIX TO APPELLANT'S REPLY BRIEF  
\*\*\*\*\*

Elias Makere, FSA, MAAA  
Appellant ("Civilian X")  
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Hobart, IN 46342  
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**ORAL ARGUMENT REQUESTED**

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APPENDIX

11<sup>TH</sup> CIRCUIT COURT OF APPEALS

22-13613-H

Appeal From

US District Court, Florida, Northern District

4:21-cv-00096

*Makere v Early*

VOLUME 02

ITEM 01\*

PAGES 0003 - 0004

SHORT TITLE: Report & Recommendation for Dismissal

DATE ENTERED: 7/13/2022

DOC TYPE: District Court Order

TRIBUNAL: US District Court, Florida, Northern District

CASE NO: 4:21-cv-00096

CASE CAPTION: *Makere v Early*

LINK: <https://ecf.flnd.uscourts.gov/>

DOC: 66

\* NOT ENTIRE DOCUMENT | PERTINENT EXCERPT ONLY  
(16<sup>TH</sup> PAGE ONLY)

impartial adjudication.” *Forrester v. White*, 484 U.S. 219, 226-27 (1988). The undersigned therefore recommends Judge Early’s motion to dismiss be GRANTED without an additional opportunity to amend.

Accordingly, it is respectfully RECOMMENDED:

1. That Judge Early’s Motion to Dismiss, Doc. 34, Plaintiff’s second amended complaint be GRANTED.
2. That all pending motions in this case be terminated, including the motion to transfer, Doc. 54, and second motion to access the CM/ECF, Doc. 61.
3. That the clerk be directed to close this file.

Done in Pensacola, Florida, this 13<sup>th</sup> day of July, 2022.

*/s/ Hope Thai Cannon*

**HOPE THAI CANNON**  
**UNITED STATES MAGISTRATE JUDGE**

NOTICE TO THE PARTIES

Objections to these proposed findings and recommendations must be filed within fourteen (14) days of the date of the Report and Recommendation. Any different deadline that may appear on the electronic docket is for the court’s internal use only and does not control. An objecting party must serve a copy of its objections upon all other parties. A party who fails to object to the magistrate judge’s findings or recommendations contained in a report and recommendation waives the right to challenge on appeal the district court’s order based on the unobjected-to factual and legal conclusions. *See* 11th Cir. Rule 3-1; 28 U.S.C. § 636.

CIP

United States Court of Appeals  
Eleventh Circuit

22-13613-H  
*Makere v Early*

{unchanged}

UNITED STATES COURT OF APPEALS  
ELEVENTH CIRCUIT

*Makere v Early*, 22-13613

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**CERTIFICATE OF INTERESTED PERSONS  
AND CORPORATE DISCLOSURE STATEMENT**

---

Lower Tribunal:

Cannon, Hope

Magistrate

Winsor, Allen

District Judge

Non-Parties:

Allstate Insurance Company (NYSE: ALL)

Division of Administrative Hearings (FL)

Florida Commission on Human Relations

Gorsica, Stanley G. (FL)

Parties:

Early, Hon. E. Gary (ALJ)

Appellee/Defendant

Makere, Elias (FSA, MAAA)

Appellant/Plaintiff

Appellant is not a subsidiary/affiliate of a publicly owned corporation. Pursuant to Rule 26.1-2 11<sup>th</sup> Cir. R., Appellant does not know of any other entities that have interest in this case. Appellant hereby certifies that this CIP is complete.

CERTIFICATE OF SERVICE



## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 26<sup>th</sup> day of May 2023, I electronically filed the foregoing with the Clerk of Courts by using PACER; which will send a notice of electronic filing to the attached service list.

**/s/ Elias Makere**

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Link to Originating Case ([HTML](#), [PDF](#), [Video](#)) | *Makere v Allstate*

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## **SERVICE LIST**

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(appearing on behalf of Defendant/Appellee)

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