

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 08-22714-CIV-UNGARO

THE MICCOSUKEE TRIBE OF
INDIANS OF FLORIDA, a federally-recognized
Indian Tribe, and BILLY CYPRESS,
Plaintiffs,

v.

STEVEN THIELE
Defendant.

ORDER ON MOTION TO DISMISS


THIS CAUSE is before the Court upon the Defendant's Motion to Dismiss, filed November 13, 2008 (D.E. 7). Plaintiffs filed their Response on November 17, 2008 (D.E. 8). Accordingly, the Motion is now ripe for disposition.

THE COURT has considered the Motion and the pertinent portions of the record and is otherwise fully advised in the premises. Defendant's Motion, filed *pro se*, merely paraphrases Federal Rule of Civil Procedure 12(b)(6) and provides no legal or factual argument.

Accordingly, it is hereby

ORDERED AND ADJUDGED that the Motion (D.E. 7) is DENIED. Defendant SHALL file a Response on or before **December 5, 2008**.

DONE AND ORDERED in Chambers, Miami, Florida, this 30th day of November, 2008.



URSULA UNGARO
UNITED STATES DISTRICT JUDGE

copies provided:
counsel of record