

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

JASON BAEZ,

Plaintiff,

v.

Case No.: 4:25cv216-MW/MAF

**RICKY DIXON, in his official capacity
as Secretary of the Florida Department
of Corrections,**

Defendant.

_____ /

ORDER DENYING MOTION TO DISMISS

This Court has considered, without hearing, Defendant's motion to dismiss the first amended complaint, ECF No. 19, and Plaintiff's response in opposition, ECF No. 29. Plaintiff's first amended complaint presents a single as-applied preemption challenge to Defendant's enforcement of a cost-of-incarceration lien against Plaintiff's inmate account. Plaintiff seeks a declaration that the civil restitution lien against him is preempted by federal law, invalid, and unenforceable. Plaintiff also seeks a permanent injunction against Defendant to remove the remaining lien, prevent future enforcement of the lien, and permit Plaintiff access to his § 1983 settlement funds that were previously deposited to his inmate account.

Defendant asserts the first amended complaint must be dismissed because (1) Plaintiff failed to exhaust administrative remedies, (2) sovereign immunity bars

Plaintiff's claim for declaratory relief, (3) Plaintiff has failed to state a plausible preemption claim, or, in the alternative, (4) this Court should abstain under *Younger v. Harris*, 401 U.S. 37 (1971). However, none of Defendant's arguments move the ball.

As to exhaustion, Defendant misapprehends what Plaintiff must allege at the pleading stage. To be clear, Plaintiff need not plead facts at the granular level demonstrating the precise actions Plaintiff took to properly exhaust his administrative remedies prior to filing suit. *Jones v. Bock*, 549 U.S. 199, 216 (2007) (“[F]ailure to exhaust is an affirmative defense under the PLRA, and . . . inmates are not required to specifically plead or demonstrate exhaustion in their complaints.”). Here, Plaintiff has affirmatively alleged that he exhausted his administrative remedies prior to suit. ECF No. 12 ¶ 9. He also does not seek facial relief or the repeal or invalidation of any state law or administrative rule. Accordingly, Defendant's arguments that Plaintiff has not specifically pled exhaustion or alleged that he has filed a petition to initiate rulemaking are entirely misplaced.

The same is true with respect to Defendant's sovereign immunity argument. Contrary to Defendant's assertion, Plaintiff's first amended complaint seeks prospective equitable relief for an alleged ongoing constitutional violation. *See id.* ¶ 33. Accordingly, this Court rejects Defendant's contention that declaratory relief regarding the constitutionality of the lien that continues to be imposed against

Plaintiff's inmate account is purely retrospective and thus barred by sovereign immunity.

Likewise, Defendant's *Younger* arguments attempt to force a square peg through a round hole. This Court agrees with Plaintiff and concludes that the Defendant's enforcement of the civil restitution lien is not the sort of state proceeding to which *Younger* applies. *See* ECF No. 29 at 9–11. Moreover, as Plaintiff persuasively explains, he lacks an adequate opportunity to raise his federal preemption claim in state court. *Id.* at 12–13. In short, this Court agrees with Plaintiff's response and concludes that *Younger* abstention is not warranted in this case.

Finally, Defendant challenges the merits of Plaintiff's preemption claim in asserting Plaintiff has failed to allege a plausible claim for relief. These merits-based arguments concerning the narrow constitutional issue before this Court are more appropriately addressed at the summary-judgment stage. Plaintiff has alleged sufficient facts to state a plausible claim for prospective equitable relief, and this Court will address the merits analysis of Plaintiff's claim once the parties have had an opportunity to fully brief their dispositive motions. Accordingly, the motion to dismiss, ECF No. 19, is **DENIED**.

SO ORDERED on October 1, 2025.

s/Mark E. Walker
United States District Judge