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**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

MARIA C. RIVAS,
as next friend of
JOSE A. FRANCO,
Petitioner,

Petitioner,

v.

Case No.: 3:26-cv-00015-WWB-SJH

WARDEN, BAKER COUNTY DETENTION CENTER;
ICE FIELD OFFICE DIRECTOR, MIAMI;
SECRETARY, DEPARTMENT OF HOMELAND SECURITY;
ATTORNEY GENERAL OF THE UNITED STATES,

Respondents.

MOTION TO CORRECT
CLERICAL ERROR IN JUDGMENT

Petitioner, **Maria C. Rivas**, proceeding pro se, respectfully moves the Court, pursuant to **Federal Rule of Civil Procedure 60(a)**, to correct a clerical error in the Judgment entered in this case, and in support states as follows:

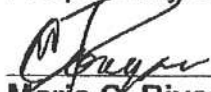
1. On **January 20, 2026**, the Court entered an **Order** (Doc. 6) dismissing this action **without prejudice** for lack of next-friend standing and lack of jurisdiction.
2. The Court's Order expressly states:
 - o **"This case is DISMISSED without prejudice."** (Doc. 6 at p. 2); and
 - o **"The Clerk shall enter judgment dismissing this case without prejudice."** (Doc. 6 at p. 3).

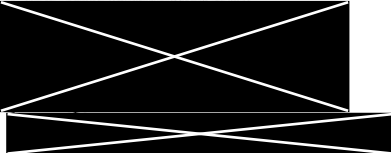
3. On **January 21, 2026**, the Clerk entered a **Judgment in a Civil Case** (Doc. 7) stating that the case was dismissed **with prejudice**.
4. The "with prejudice" designation in the Judgment directly conflicts with the Court's Order and appears to be a **clerical or administrative error**.
5. Because the dismissal was based on lack of standing and jurisdiction, the dismissal was necessarily **without prejudice**, as the Court itself correctly ordered.
6. Federal Rule of Civil Procedure 60(a) authorizes the Court to correct clerical mistakes or errors arising from oversight or omission so that the Judgment accurately reflects the Court's intent.

WHEREFORE, Petitioner respectfully requests that the Court:

- A. **Correct the Judgment (Doc. 7)** to reflect that this action is **dismissed without prejudice**, consistent with the Court's Order (Doc. 6); and
- B. Grant any further relief the Court deems just and proper.

Respectfully submitted,


Maria C. Rivas
Pro Se Petitioner



Date: 1/22/2026

CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2026, I mailed a true and correct copy of the foregoing **Motion to Correct Clerical Error in Judgment** to all Respondents or their

counsel of record by **U.S. Mail**, postage prepaid, at the addresses listed on the Court's docket.



Maria C. Rivas
Pro Se Petitioner