

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

STEVEN E. GREER
a Port St. Lucie resident

Plaintiff,

v.

CITY OF PORT ST. LUCIE, FLORIDA,
a Florida Municipal Corporation,

SHANNON MARTIN,
in her official capacity as Mayor of the
City of Port St. Lucie and in her individual
capacity,

FLOCK GROUP, INC., a Delaware
corporation, d/b/a FLOCK SAFETY

Defendants,

Case No.: 2:26-cv-14319-AMC

Judge: Aileen Cannon

PLAINTIFF'S EXPEDITED RENEWED
MOTION FOR PRELIMINARY
INJUNCTION

AND

NOTICE OF SUPPLEMENTAL STATE
AUTHORITY

Contents

This Case is Not Moot	4
Legal Standards for Injunction	4
ARGUMENT FOR EXPEDITED JUDICIAL INTERVENTION	5
Notice of Perfected Service and Compliance with Rule 65(a)	7
REQUEST FOR RELIEF	8
CERTIFICATE OF SERVICE	9

Cases

<i>Califano v. Yamasaki</i> , 442 U.S. 682, 702 (1979)	4
<i>Friends of the Earth, Inc. v. Laidlaw Env't Servs. (TOC), Inc.</i> , 528 U.S. 167, 189 (2000) .	6
<i>Siegel v. LePore</i> , 234 F.3d 1163, 1176 (11th Cir. 2000)	4
<i>Trump v. CASA, Inc.</i> , 606 U.S. 831 (2025).....	4
<i>Winter v. Nat. Res. Def. Council, Inc.</i> , 555 U.S. 7, 20 (2008)	4

Statutes

Fla. Stat. § 316.0777(2)(b).....	3
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Other Authorities

Florida Department of Transportation issued Engineering and Operations Memorandum No. 26-01	2
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Rules

Federal Rule of Civil Procedure 65	1
S.D. Fla. Local Rule 7.1(d)(2)	1

PLAINTIFF’S EXPEDITED RENEWED MOTION FOR
PRELIMINARY INJUNCTION
AND
NOTICE OF SUPPLEMENTAL STATE AUTHORITY

1. Plaintiff Steven E. Greer, M.D., pro se, respectfully moves this Court on an expedited basis under Federal Rule of Civil Procedure 65 and S.D. Fla. Local Rule 7.1(d)(2) to renew and supplement his pending motion for preliminary injunction (ECF 5) against Defendant City of Port St. Lucie. In support, **Plaintiff submits a historic regulatory action taken August 31, 2026, by the Florida Department of Transportation**, which independently confirms the public-interest and irreparable-harm showings already made in ECF 5 and makes prompt adjudication necessary.

2. Plaintiff requests a ruling as soon as practicable.

3. On August 31, 2026, FDOT revoked all general-use LPR permits on State Highway System rights-of-way and started a 30-day removal clock. That state action is already being implemented statewide.

4. It does not, however, stop the City’s municipal cameras or cancel Flock’s perpetual data-export license.

5. Ordinary 14-day response briefing under Local Rule 7.1(c) would leave the municipal dragnet and the export license running while the State itself is pulling the same technology off state roads.

6. An expedited schedule is needed so the *Winter* public-interest factor can be applied to the City while the FDOT determination is fresh and while data continues to leave Port St. Lucie.

7. On August 31, 2026, the Florida Department of Transportation issued Engineering and Operations Memorandum No. 26-01, signed by Chief Operating Officer

Will Watts, P.E. That official State directive revokes all general-use permits for Automated License Plate Readers (LPRs) within the right-of-way of roads on the State Highway System and orders mandatory removal of those devices within 30 days. The memorandum states:

“Florida Department of Transportation

RON DESANTIS GOVERNOR

605 Suwannee Street

Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.

SECRETARY

ENGINEERING AND OPERATIONS

MEMORANDUM NO. 26-01

DATE: August 31, 2026

TO: Local Agency Permitholders

FROM: Will Watts, P.E., Chief Operating Officer, Assistant Secretary

COPIES: State Agency Officials

Rudy Powell, P.E., Chief Engineer of Operations

SUBJECT: Revocation of General Use Permits for Automated License Plate Readers

The purpose of this memorandum is to notify local law enforcement agencies of updates related to the Florida Department of Transportation’s (Department) authority regarding the placement or use of automated license plate recognition systems (LPR) within the right of way of a road on the State Highway System by local agencies.

Automated License Plate Recognition Systems (LPR)

Pursuant to s. 316.0777, Florida Statutes, FDOT is provided with broad authority to approve or deny a local law enforcement agency’s request to place a LPR within the right-of-way of a road on the State Highway System—and the authority to remove such at the Department’s discretion.

While Florida law limits the issuance of permits for LPR systems to law enforcement agencies, the recent exponential increase in deployments along our roadways, coupled with concerning reports of misuse, data privacy concerns, and surveillance schemes merit immediate action to preserve Floridians' sovereignty and quality of life.

Active Permits

Approvals for the placement of assets in state rights-of-way by the Department are considered temporary in nature. **As such, all LPR-related LPR related approvals issued by the Department to a local law enforcement agency are hereby revoked** and must be removed by the permittee within 30 days of the date of this memorandum. If such removal has not occurred within the 30-day period, the Department will remove any remaining devices subject to this memorandum.

To that end, nothing in this memorandum prevents or restricts the Department from immediately removing any individual LPR device that is an immediate safety concern or that is causing an unsafe condition.

Discontinuance of All Future LPR Placement Requests

Further, as of the date of this memorandum, the Department will use its discretionary authority to cease the issuance of all future requests for LPR systems within its jurisdictional authority.

8. **The above Memorandum No. 26-01 is operative now. As of August 31, 2026, FDOT revoked every existing general-use approval for automated license plate readers in State Highway System rights-of-way, ordered permittees to remove those devices within 30 days, reserved the right to remove immediately any unit that presents a safety concern, and froze all future LPR placement requests within FDOT's jurisdiction. See Fla. Stat. § 316.0777(2)(b).**

9. That is present-tense state action, not a study or a press statement. It supports expedited consideration of the already-filed injunction motion.

10. It does not by itself shut down the City's remaining cameras or the City's contract with Flock.

This Case is Not Moot

11. The memo is a permitting directive to law-enforcement agencies that placed LPRs in state rights-of-way. It is not a camera-by-camera judgment, and it does not reach purely municipal streets, parks, or private property.

12. That limited geographic scope is why this case is not moot and why relief against the City is still required.

13. Port St. Lucie's local roads, neighborhood approaches, parks, and retail entrances sit outside the memo and continue to feed the same Flock platform. This Court need not issue a "statewide" injunction against non-party municipalities. Under *Trump v. CASA, Inc.*, 606 U.S. 831 (2025), and *Califano v. Yamasaki*, 442 U.S. 682, 702 (1979), injunctive relief must be no broader than necessary to give complete relief to Plaintiff against the parties before the Court (the City of Port St. Lucie, Mayor Martin in her official capacity, and Flock Safety, Inc.), insofar as they collect, retain, query, or export Port St. Lucie data.

Legal Standards for Injunction

14. The standards are settled. A preliminary injunction requires (1) substantial likelihood of success on the merits, (2) irreparable harm, (3) a balance of equities favoring the movant, and (4) that the injunction serve the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008); *Siegel v. LePore*, 234 F.3d 1163, 1176 (11th Cir. 2000) (en banc).

15. Rule 65(a) requires notice. Local Rule 7.1(d)(2) authorizes an expedited motion when a date-certain ruling is needed even if the paper is not a seven-day "emergency."

16. Plaintiff submits the FDOT memorandum as supplemental authority on all four *Winter* factors, especially irreparable harm and the public interest.

17. Crucially, the State of Florida has officially determined and formalized that “the recent exponential increase in deployments along our roadways, coupled with concerning reports of misuse, data privacy concerns, and surveillance schemes merit immediate action to preserve Floridians’ sovereignty and quality of life.”- FDOT Eng’g & Operations Mem. No. 26-01 (Aug. 31, 2026).

18. That is an official determination under statutory permitting authority.

19. That determination corroborates the core factual premise of the Complaint: the Flock deployment grew too fast, is subject to misuse, raises serious privacy and surveillance concerns, and warrants immediate constraint.

20. The memo is not a holding that the network is unconstitutional. Plaintiff does not treat it as one. It is evidence on *Winter*’s public-interest and equities prongs, and it shows why waiting for ordinary briefing leaves the City’s remaining nodes collecting and exporting the same class of data the State has just ordered off state roads.

ARGUMENT FOR EXPEDITED JUDICIAL INTERVENTION

21. The threat remains concrete and ongoing on City streets. Memorandum No. 26-01 reaches only LPR devices in the right-of-way of roads on the State Highway System. It does not bind the City as to Flock cameras on local municipal roads, residential streets, neighborhood approaches, municipal parks, or retail entrances.

22. Those City-controlled placements continue to operate. Plaintiff drives the public streets of Port St. Lucie every day. Given the density and placement of the City’s remaining 53 Flock cameras, it is functionally impossible for him to travel any meaningful distance without being photographed multiple times. The system has already catalogued, and continues to catalogue, his movements over multi-week periods, enabling reconstruction

of his patterns of life (including visits to medical providers, places of worship, and other private destinations) without a warrant or individualized suspicion.

23. The City's contract with Flock grants a non-exclusive, worldwide, perpetual, royalty-free license to share Port St. Lucie data across Flock's national platform. Removing cameras from state roads does not cancel that license or purge the data already collected. Even if every state-road device goes dark, the City's remaining municipal nodes and the stored data continue to feed a national archive that is searchable by out-of-state and federal agencies.

24. This is not speculative injury. It is continuous, concrete tracking of Plaintiff's own movements by a system that the State of Florida has already determined raises "concerning reports of misuse, data privacy concerns, and surveillance schemes" sufficient to justify immediate statewide action on state roads. The same concerns apply with equal or greater force to the City's unconstrained municipal network and data-export arrangement.

25. Voluntary or partial cessation does not moot the claim. An executive memorandum limited to state rights-of-way, capable of being narrowed or withdrawn, and that leaves the municipal cameras and the perpetual export license untouched, is not complete relief. *Friends of the Earth, Inc. v. Laidlaw Env't Servs. (TOC), Inc.*, 528 U.S. 167, 189 (2000).

26. The balance of equities and the public interest now tip even more strongly in favor of interim relief. The State of Florida has officially concluded that the rapid deployment of this technology, combined with documented misuse and privacy harms, warrants immediate constraint. Against that official determination, the City has no freestanding interest sufficient to keep an unconstrained municipal data portal feeding the same national network while this case is pending.

Notice of Perfected Service and Compliance with Rule 65(a)

27. Out of an abundance of caution and to ensure absolute clarity on the record, Plaintiff notes that any prior procedural concerns regarding notice under Federal Rule of Civil Procedure 65(a) have been completely extinguished.

28. On September 11, 2026, Plaintiff filed executed **Waivers of the Service of Summons** for all named parties on the electronic docket. Counsel for Defendants **City of Port St. Lucie** and **Mayor Shannon Martin** (Daniel L. Abbott, Esq.) executed waivers on September 8, 2026, and counsel for Defendant **Flock Safety, Inc.** (James E. Gillenwater, Esq.) executed a waiver on September 11, 2026. Under Rule 4(d)(4), these filings carry the exact same legal weight as formal, perfected personal service.

29. All Defendants have formally appeared through active counsel, are fully aware of this litigation, and are properly before this Court, satisfying any and all notice requirements for the adjudication of this expedited interim relief.

REQUEST FOR RELIEF

30. Plaintiff respectfully requests that this Court enter an expedited preliminary injunction that:

- A. Preliminarily enjoins the City of Port St. Lucie, pending final adjudication, from (i) operating its remaining Flock ALPR cameras on municipal and local roadways under its jurisdiction, and (ii) exporting or making available any Port St. Lucie vehicular or pedestrian data collected by those cameras into Flock's national platform without a judicial warrant supported by probable cause;
- B. Orders the City to produce immediately, and without any fee or other unlawful condition, the public records requested by Plaintiff (reference number P008986-081926) concerning camera locations, installation details, active system IDs, and audit logs;
- C. Awards reasonable attorneys' fees and costs under 42 U.S.C. § 1988 and Fla. Stat. § 119.12 if Plaintiff ultimately prevails; and
- D. Grants such other and further relief as the Court deems just and proper.

Respectfully submitted,

Steven E. Greer, pro se
10367 SW Green Turtle Ln
Port St. Lucie, FL 34987
(212) 945-7252
steve@greerjournal.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served this 11th day of September, 2026, by U.S. Mail or other authorized means on all named defendants.

/s/: Steven E. Greer, pro se
10367 SW Green Turtle LN
Port St. Lucie, FL 34987

In Memory of
Martha Greer 1941-2026
Thomas Greer 1937-2023

