

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

CARL SMITH,

Plaintiff,

vs.

Case No. 3:11-cv-543-J-34JRK

ROYAL OAK FINANCIAL SERVICES, INC.,
an Ohio corporation doing business as CRB,

Defendant.

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ORDER

THIS CAUSE is before the Court on Magistrate Judge James R. Klindt's Report and Recommendation (Doc. No. 27; Report) entered on June 18, 2012. In the Report, Judge Klindt recommends that Plaintiff Carl Smith's (Smith) Amended Motion for Entry of Default Final Judgment and Award of Attorney's Fees and Costs (Doc. No. 25; Motion) be denied. Report at 13. He also recommends that Smith be awarded statutory damages in the amount of \$2000, attorney's fees in the amount \$2940, and costs in the amount of \$390. Id. Despite the Court's express order (Doc. No. 26) to do so, Defendant Royal Oak Financial Services, Inc. did not respond to the Motion.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de

novo. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994) (per curiam); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

After careful consideration of the record, and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended in the Report (Doc. No. 27).

Accordingly, it is hereby **ORDERED**:

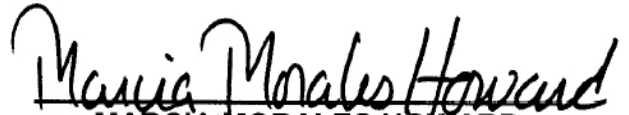
1. The Magistrate Judge's Report and Recommendation (Doc. No. 27) is **ADOPTED** as the opinion of the Court.

2. Plaintiff's Amended Motion for Entry of Default Final Judgment and Award of Attorney's Fees and Costs (Doc. No. 25) is **GRANTED**.

3. Pursuant to Rule 54(b), the Court finds no reason for delay. Thus, the Clerk of Court is directed to enter **JUDGMENT** in favor of Plaintiff, Carl Smith, and against Defendant, Royal Oak Financial Services, Inc., d/b/a CRB, for statutory damages in the amount of \$2,000.00, attorney's fees in the amount of \$2,940.00, and costs in the amount of \$390.00.

4. Consistent with Plaintiff's representations in Plaintiff's Response to Order for Clarification (Doc. No. 24), Plaintiff shall file a notice of voluntary dismissal with respect to Count Three of the Amended Complaint and Demand for Jury Trial (Doc. No. 6) on or before **August 27, 2012.**

DONE AND ORDERED at Jacksonville, Florida, this 10th day of August, 2012.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:
Counsel of Record