

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SANTOS GUEVARA,

Plaintiff,

vs.

Case No. 2:06-cv-511-FtM-29SPC

SHUTTER-MAN STORM AND SECURITY,
INC.; KIRK BARNICLE,

Defendants.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #114), filed April 1, 2009, recommending that plaintiff's Motion for Final Judgment in Garnishment on Confession of Garnishee (Doc. #108) be granted and final judgment be entered against the Garnishee Regions Bank in the amount of \$2,689.08. No objections have been filed and the time to do so has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendations. 28 U.S.C. §

636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

After conducting an independent examination of the file and upon due consideration of the Report and Recommendation, the Court accepts the Report and Recommendation of the magistrate judge.

Accordingly, it is now


ORDERED:

1. The Report and Recommendation (Doc. #114) is hereby **adopted** and the findings incorporated herein.

2. Plaintiff's Motion for Final Judgment in Garnishment on Confession of Garnishee (Doc. #108) is **GRANTED**.

3. The Clerk shall enter judgment in favor of plaintiff as garnishor and against Regions Bank as garnishee in the amount of \$2,689.08.

DONE AND ORDERED at Fort Myers, Florida, this 20th day of April, 2009.



JOHN E. STEELE
United States District Judge

Copies:
Hon. Sheri Polster Chappell
United States Magistrate Judge
Counsel of Record