

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

PATRICK LORNE FARRELL,

Plaintiff,

v.

Case No: 2:13-cv-140-FtM-29DNF

GMAC MORTGAGE, STATE OF
FLORIDA, BEARS-STEARNES,
IMPAC FUNDING, JOHN DOE, or
Jane Does, and OCWEN LOAN
SERVICING,

Defendants.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #94), filed January 24, 2014, recommending that plaintiff's Motion to Amend and Add Causes Against Ocwen (Doc. #91) be denied and the Response to Ocwen's Response in Opposition (Doc. #93) be stricken. Plaintiff filed an Objection to the Report and Recommendation (Doc. #97) on February 18, 2014, pursuant to the Court's Order (Doc. #96) providing an extension of the deadline to file objections.

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); United States v. Powell, 628 F.3d 1254, 1256 (11th Cir. 2010). A district judge "shall make a *de novo* determination of

those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). See also United States v. Farias-Gonzalez, 556 F.3d 1181, 1184 n.1 (11th Cir. 2009). This requires that the district judge "give fresh consideration to those issues to which specific objection has been made by a party." Jeffrey S. v. State Bd. of Educ. of Ga., 896 F.2d 507, 512 (11th Cir. 1990)(quoting H.R. 1609, 94th Cong., § 2 (1976)). 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).

After a careful and complete review of the record in this case, the Court agrees with the Report and Recommendation of the Magistrate Judge. Plaintiff's objection presents disagreement with the findings of the Magistrate Judge, however the Court finds the basis for the amendment is frivolous and will overrule the objection. The Court also agrees that the reply was filed without leave of Court.

Accordingly, it is now

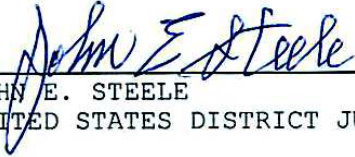
ORDERED:

1. The Report and Recommendation (Doc. #94) is hereby **adopted** and the findings incorporated.
2. Plaintiff's Objection to the Report and Recommendation (Doc. #97) is **overruled**.

3. Plaintiff's Motion to Amend and Add Causes Against Ocwen
(Doc. #91) is **denied**.

4. Plaintiff's Response to Ocwen's Response in Opposition
(Doc. #93) is **stricken**.

DONE and ORDERED at Fort Myers, Florida, this 6th day of
August, 2014.



JOHN E. STEELE
UNITED STATES DISTRICT JUDGE

Copies:
Hon. Douglas N. Frazier
All Parties of Record