

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MARILYN HAWKINS, an individual

Plaintiff,

v.

Case No: 2:16-cv-328-FtM-38MRM

ROBERT A. MACDONALD,

Defendant.

OPINION AND ORDER¹

This matter comes before the Court on United States Magistrate Judge Mac R. McCoy's Report and Recommendation. ([Doc. 24](#)). Judge McCoy recommends dismissing *pro se* Plaintiff Marilyn Hawkins' Amended Complaint for her willful delay and unresponsiveness in complying with Court Orders and prosecuting this case. Hawkins has not objected to the Report and Recommendation, and the time to do so has expired.

A district judge "may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge." [28 U.S.C. § 636\(b\)\(1\)](#). The 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." *Id.* And "[t]he judge

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may also receive further evidence or recommit the matter to the magistrate judge with instructions.” *Id.*


After examining the file carefully and independently, and upon considering Judge McCoy’s findings and recommendations, the Court accepts and adopts the Report and Recommendation.

Accordingly, it is now

ORDERED:

1. The Report and Recommendation ([Doc. 24](#)) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
2. The above-captioned case is **DISMISSED**.
3. The Clerk of Court is **DIRECTED** to enter judgment accordingly, terminate any pending deadlines, and close the file.

DONE and ORDERED in Fort Myers, Florida this 3rd day of August 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record