

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

IN RE: TAMMY TRANTER, AS  
OWNER OF THE MOTOR VESSEL  
"SOUTHERN VORTEX," A 47 FOOT  
2004 FORMULA THUNDERBIRD  
BEARING HULL IDENTIFICATION  
NUMBER TNRD2634A304

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TAMMY TRANTER, AS OWNER OF  
THE MOTOR VESSEL "SOUTHERN  
VORTEX," A 47 FOOT 2004 FORMULA  
THUNDERBIRD BEARING HULL  
IDENTIFICATION NUMBER  
TNRD2634A304, Her Engines, Tackle,  
Apparel and Appurtenances

Plaintiff,

v.

Case No: 2:17-cv-144-FtM-38MRM

UNKNOWN DEFENDANT,

Defendant.

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**ORDER**<sup>1</sup>

This matter comes before the Court on United States Magistrate Judge Mac R. McCoy's Report and Recommendation. ([Doc. 15](#)). Judge McCoy recommends that Plaintiff's Motion for Entry of Default and Default Final Judgment be granted in part and

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denied without prejudice in part. No objections to the Report and Recommendation have been filed, and the time to do so has elapsed. This matter is now ripe for review.

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. See 28 U.S.C. § 636(b)(1); see also *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). 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).

After conducting an independent examination of the file and on consideration of Judge McCoy's findings and recommendation, the Court accepts the Report and Recommendation.

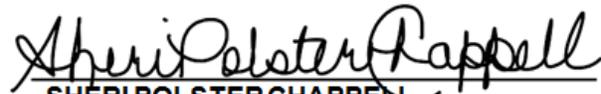
Accordingly, it is now

**ORDERED:**

1. The Report and Recommendation (Doc. 15) is **ACCEPTED** and **ADOPTED** and the findings incorporated herein.
2. The Plaintiff's Motion for Entry of Default and Default Final Judgment (Doc. 13) is **GRANTED in part** such that a Clerk's default shall be entered and **DENIED without prejudice in part** to the extent that Plaintiff's seeks default judgment.

3. The Clerk of Court is **DIRECTED** to enter Clerk's default against ST Snook Bight Marina, LLC, Mouser Engineering, LLC, David Denise, and all persons and entities who have failed to file claims or answers to the Verified Complaint.
4. Plaintiff may file a renewed motion for entry of a default judgment after the entry of the Clerk's default. See Fed. R. Civ. P. 55(b).

**DONE** and **ORDERED** in Fort Myers, Florida this 8th day of February, 2018.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record