

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JEFFREY BAKER, an individual

Plaintiff,

v.

Case No: 2:17-cv-403-FtM-38MRM

ADVANCED IMAGING OF PORT  
CHARLOTTE, LLC,

Defendant.

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**OPINION AND ORDER**<sup>1</sup>

This matter comes before the Court on United States Magistrate Judge Mac R. McCoy's Report and Recommendation. ([Doc. 25](#)). Judge McCoy recommends the Clerk of Court be directed to enter a Clerk's Default against Defendant Advanced Imaging of Port Charlotte, LLC because of the company's repeated failures to hire counsel. ([Doc. 25](#)). Advanced Imaging has not objected to the Report and Recommendation, and the time to do so has expired. The Report and Recommendation is thus ripe for review.

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 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) United States Magistrate Judge Mac R. McCoy’s Report and Recommendation (Doc. 25) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
- (2) The Clerk of Court is **DIRECTED** to enter a Clerk’s Default against Defendant Advanced Imaging of Port Charlotte, LLC.

**DONE** and **ORDERED** in Fort Myers, Florida this 11th day of June 2018.

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

Copies: All Parties of Record