

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MATTHEW MILLIGAN,

Plaintiff,

v.

Case No: 2:20-cv-403-JES-KCD

KEVIN J. RAMBOSK, in his
official capacity as Sheriff
of Collier County Florida,

Defendant.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #84), filed July 5, 2022, recommending that plaintiff's Motion to Review Clerk's Bill of Costs (Doc. #84) be granted in part and denied in part. 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). 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).

The Magistrate Judge reviewed the Bill of Costs (Doc. #80) taxed against plaintiff in the amount of \$4,795.15 and found that the equivalent of \$6.50 per page for 279 pages of medical records was unjustifiable. As a result, costs were reduced to a total of \$3,260.65 after applying a \$1.00 per page rate. 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

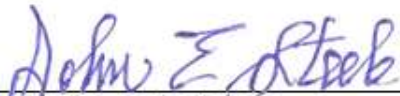
ORDERED:

1. The Report and Recommendation (Doc. #84) is hereby **adopted**, and the findings incorporated herein.

2. Plaintiff's Motion to Review Clerk's Bill of Costs (Doc. #81) is **GRANTED in part and DENIED in part**.

3. The Clerk shall note that the Bill of Costs (Doc. #80) is **vacated** and enter judgment in favor of Sheriff Rambosk for costs totaling \$3,260.65.

DONE and ORDERED at Fort Myers, Florida, this 27th day of July 2022.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:
Hon. Kyle C. Dudek
United States Magistrate Judge

Counsel of Record
Unrepresented parties