

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

STEPNEY WILLIAMS, on behalf of
himself and those similarly situated,

Plaintiff,

v.

Case No. 3:09-cv-363-J-34JBT

UPRIGHT CONSTRUCTION, INC.,
a Florida Corporation,

Defendant.

_____ /

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 26; Report), entered by the Honorable Joel B. Toomey, United States Magistrate Judge, on March 24, 2011. In the Report, Magistrate Judge Toomey recommends that the Motion for Entry of Default Final Judgment (Dkt. No. 22) be granted and that the Clerk of the Court be directed to enter judgment in favor of Plaintiff Stepney Williams and against Defendant Upright Construction, Inc. for the sum of \$13,065.00. See Report at 10. Defendant has failed to file objections to the Report, and the time for doing so has now passed.

The Court “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). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994);

United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. The Magistrate Judge's Report and Recommendation (Dkt. No. 26) is **ADOPTED** as the opinion of the Court.

2. The Motion for Entry of Default Final Judgment (Dkt. No. 22) is **GRANTED**.

3. The Clerk of the Court is directed to enter judgment in favor of Plaintiff Stepney Williams and against Defendant Upright Construction, Inc. for the sum of Thirteen Thousand and Sixty-Five Dollars and No Cents (\$13,065.00).

4. The Clerk of the Court is further directed to terminate any pending motions and close the file.

DONE AND ORDERED at Jacksonville, Florida, this 2nd day of June, 2011.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Honorable Joel B. Toomey
United States Magistrate Judge

Counsel of Record

Any Unrepresented Party