

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

JOHN F. HOOKS,

Plaintiff,

-vs-

Case No. 3:13-cv-891-J-34JBT

GEICO GENERAL INSURANCE  
COMPANY, INC.,

Defendant.

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**ORDER**

**THIS CAUSE** is before the Court on Magistrate Judge Joel B. Toomey's Report and Recommendation (Dkt. No. 168; Report), entered on November 23, 2015. In the Report, Magistrate Judge Toomey recommends that Defendant's Motion for Award of Costs (Dkt. No. 153; Motion) be granted, in part, and denied, in part. See Report at 15. No objections to the Report have been filed, 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. 168) is **ADOPTED** as the opinion of the Court.

2. Defendant's Motion for Award of Costs (Dkt. No. 153) is **GRANTED, in part, and DENIED, in part.**

a. The Motion is **GRANTED** to the extent that the Court determines that Defendant, as the prevailing party, is entitled to recoup costs in the amount of \$12,037.96.

b. Otherwise, the Motion is **DENIED.**

3. The entry of an order directing the Clerk of the Court to tax costs in this amount is **STAYED** pending the resolution of Plaintiff's Motion for New Trial (Dkt. No. 159).

**DONE AND ORDERED** in Jacksonville, Florida, this 4th day of January, 2016.

  
**MARCIA MORALES HOWARD**  
United States District Judge

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Copies to:

The Honorable Joel B. Toomey  
United States Magistrate Judge

Counsel of Record