

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

JEROME W. WHEELER,

Plaintiff,

-vs-

Case No.: 3:13-cv-1284-J-34JBT

CHILDREN'S EDUCATIONAL SERVICES,
INC.,

Defendant.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 5; Report), entered by the Honorable Joel B. Toomey, United States Magistrate Judge, on January 7, 2014. In the Report, Magistrate Judge Toomey recommends that this action be dismissed without prejudice. See Report at 2. Plaintiff 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 fact 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. 5) is **ADOPTED** as the opinion of the Court.
2. This case is **DISMISSED without prejudice**.
3. The Clerk of the Court is directed to terminate all pending motions and deadlines as moot and close the file.

DONE AND ORDERED at Jacksonville, Florida, this 31st day of January, 2014.


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

Pro Se Parties