

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 3:14-cv-474-J-34JRK

PATRICIA A. CONNELL,

Defendant.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 11; Report), entered by the Honorable James R. Klindt, United States Magistrate Judge, on August 1, 2014. In the Report, Magistrate Judge Klindt recommends that Plaintiff's Motion for Entry of Default Judgment (Dkt. No. 9) be granted, in part, and denied, in part. See Report at 7. 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. 11) is **ADOPTED** as the opinion of the Court.

2. Plaintiff's Motion for Entry of Default Judgment (Dkt. No. 9) is **GRANTED, in part, and DENIED, in part.**

3. The Motion is **GRANTED** to the extent that the Clerk of the Court is directed to enter judgment in favor of Plaintiff and against Defendant in the following amounts:

a. as to the first loan: \$3,030.99 in principal, \$2,583.70 in prejudgment interest as of August 5, 2011, prejudgment interest on the principal amount accruing at the rate of 3.16% and a daily rate of \$0.26 from August 6, 2011 through June 30, 2012, and thereafter through the date of judgment at such rate as the Department establishes pursuant to section 427A of the Higher Education Act of 1965, as amended, 20 U.S.C. § 1077a; and

b. as to the second loan: \$4,963.23 in principal, \$4,470.93 in interest as of August 5, 2011, prejudgment interest on the principal amount accruing at the rate of 3.27% and a daily rate of \$0.44 from August 6, 2011 through June 30, 2012, and thereafter through the date of judgment at such rate as the Department establishes pursuant to section 427A of the Higher Education Act of 1965, as amended, 20 U.S.C. § 1077a; and

c. post-judgment interest accruing at the legal rate established by 28 U.S.C. § 1961; \$680.00 in attorney's fees; and \$45.00 in costs.

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

5. The proposed "Default Final Judgment" (Dkt. No. 9), at pp. 20-21, attached to the Motion, is **STRICKEN**.

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

DONE AND ORDERED at Jacksonville, Florida, this 27th day of August, 2014.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Honorable James R. Klindt
United States Magistrate Judge

Counsel of Record

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