

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

JOSE ANTONIO PENA TAVAREZ,

Petitioner,

v.

Case No: 3:14-cv-1010-J-39MCR

U.S. CITIZENSHIP AND IMMIGRATION
SERVICES and ATTORNEY GENERAL
OF THE UNITED STATES,

Respondents.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Doc. 7; Recommendation), entered by the Honorable Monte C. Richardson, United States Magistrate Judge, on November 5, 2014. No objections were made to the Recommendation and the time for objections has passed.¹ Accordingly, the matter is ripe for review.

The Recommendation analyzes Plaintiff's Petition for a Writ of Mandamus (Doc. 1; Petition), and in a well-reasoned conclusion recommends that this Court transfer Plaintiff's case to the United States District Court for the Southern District of Florida, West Palm Beach Division. 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

¹ Rule 6.02(a) of the Local Rules for the Middle District of Florida, United States District Court, directs that any objections to a report and recommendation be filed within fourteen days after service of the report and recommendation. See also 28 U.S.C. § 636(b)(1).

no specific objections to findings of facts are filed, the district judge 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 judge must review legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry., 37 F.3d 603, 604 (11th Cir. 1994). Upon independent review of the file and for the reasons stated in the Report and Recommendation, the Court will accept and adopt the factual and legal conclusions recommended by the Magistrate Judge. Accordingly, it is

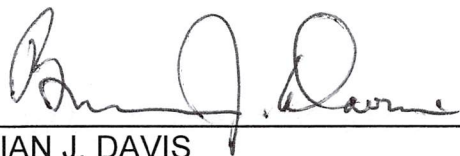
ORDERED:

1. The Magistrate Judge's Report and Recommendation (Doc. 7) is

ADOPTED.

2. The Clerk of Court is directed to transfer this case to the United States District Court for the Southern District of Florida, West Palm Beach Division.

DONE and **ORDERED** in Jacksonville, Florida this 3rd day of December, 2014.



BRIAN J. DAVIS
United States District Judge

mw
Copies furnished to:

Counsel of Record