

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

USAA LIFE INSURANCE COMPANY,

Plaintiff,

vs.

Case No. 3:15-cv-93-J-34MCR

YOLINDA DOSS and MICHAEL T.
FACKLER, as guardian ad litem for
A.D., his ward,

Defendants.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Doc. No. 46; Report), entered by the Honorable Monte C. Richardson, United States Magistrate Judge, on June 30, 2016. In the Report, Magistrate Judge Richardson recommends that the Motion for Attorney's Fees, Denial of Creditor Claims, and to Disburse Funds Held in the Registry of the Court (Doc. No. 44; Motion) be granted, in part, and denied, in part. See Report at 1, 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 (Doc. No. 46) is **ADOPTED** as the opinion of the Court.

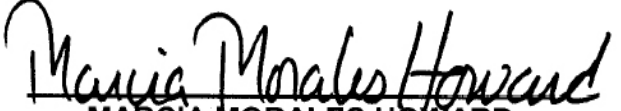
2. The Motion for Attorney's Fees, Denial of Creditor Claims, and to Disburse Funds Held in the Registry of the Court (Doc. No. 44) is **GRANTED, in part, and DENIED, in part.**

a. The Motion is **GRANTED** to the extent that funds deposited into the Registry of the Court by USAA Life Insurance Company (USAA) on February 2, 2015, are exempt from creditor claims, and the Clerk of the Court is directed to disburse all such funds together with interest accruing on the deposited funds through the date of disbursement, less all court registry fees (collectively the "Net Policy Proceeds") to Milam Howard Nicandri Dees & Gilliam, P.A. Trust Account, 14 East Bay Street, Jacksonville, Florida 32202.

b. In all other respects, the Motion is **DENIED**.

3. The Clerk of the Court is directed to enter Judgment in accordance with this Order and close the file.

DONE AND ORDERED at Jacksonville, Florida, this 18th day of August, 2016.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record