

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

ROBERT CRAIG MACLEOD,

Plaintiff,

v.

Case No. 3:16-cv-1058-J-34JRK

TOM BEXLEY, in his personal capacity
as a government official (Deputy Court
Clerk, Flagler County, Florida),

Defendant.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 14; Report), entered by the Honorable James R. Klindt, United States Magistrate Judge, on January 31, 2017. In the Report, Judge Klindt recommends that Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) (Dkt. No. 4) and the Affidavit of Indigency (Dkt. No. 5), which the Court collectively construes as a Motion to Proceed In Forma Pauperis, be denied, this action be dismissed without prejudice, and all remaining motions be denied as moot. See Report at 8. On February 22, 2017, Plaintiff filed objections to the Report. See Objections to Report and Recommendation (Dkt. No. 15; Objections).

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 Judge Klindt's Report, the Court will overrule the Objections, and accept and adopt the legal and factual conclusions recommended by the Magistrate Judge.

Accordingly, it is hereby

ORDERED:

1. Plaintiff's Objections to Report and Recommendation (Dkt. No. 15) are **OVERRULED**.

2. The Magistrate Judge's Report and Recommendation (Dkt. No. 14) is **ADOPTED** as the opinion of the Court.

3. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) (Dkt. No. 4) and the Affidavit of Indigency (Dkt. No. 5), which the Court collectively construes as a Motion to Proceed In Forma Pauperis, is **DENIED**.

4. This case is **DISMISSED without prejudice**.

5. The remaining pending motions (Dkt. Nos. 7 and 8) are **DENIED as moot**.

6. The Clerk of the Court is **DIRECTED** to terminate all deadlines and motions as moot, and close the case.

DONE AND ORDERED at Jacksonville, Florida, this 23rd day of February, 2017.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

The Honorable James R. Klindt
United States Magistrate Judge

Pro se Party