

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

RYOKO CUNNINGHAM,

Petitioner,

Case No. 3:16-cv-1349-J-34JBT

vs.

TERRANCE CUNNINGHAM and
GLENDA CUNNINGHAM,

Respondents.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 105; Report), entered by the Honorable Joel B. Toomey, United States Magistrate Judge, on December 15, 2017. In the Report, Judge Toomey recommends that Petitioner's Motion to Tax Costs (Dkt. No. 75) be granted, in part, and denied, in part. See Report at 8. No objections to the Report have been filed, and the time for doing so has passed.

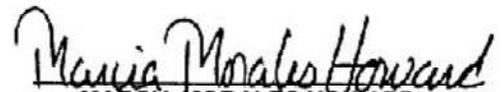
The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of fact are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 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. 105) is **ADOPTED** as the opinion of the Court.¹
2. Petitioner's Motion to Tax Costs (Dkt. No. 75) is **GRANTED, in part, and DENIED, in part.**
 - a. The Motion is **GRANTED** to the extent that Petitioner is awarded a total of \$12,799.26, which includes \$7,730.23 for necessary expenses pursuant to 22 U.S.C. § 9007(b)(3) and \$5,069.03 for taxable costs pursuant to 28 U.S.C. § 1920.
 - b. Otherwise, the Motion is **DENIED**.
3. The Clerk of the Court is directed to enter Judgment in accordance with this Order.

DONE AND ORDERED in Jacksonville, Florida this 12th day of January, 2018.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:
Counsel of Record

¹ In so doing, with regard to the discussion of the necessity of Mr. Takeda's presence at trial, the Court notes that although an official translator was present, there were times such as when Petitioner's son was testifying, that Petitioner had to rely on Mr. Takeda for translation.