

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 3:16-cv-1359-J-34PDB

JOYCELYN V. BERRY,

Defendant.

_____ /

ORDER

THIS CAUSE is before the Court on the Report & Recommendation (Dkt. No. 10; Report), entered by the Honorable Patricia D. Barksdale, United States Magistrate Judge, on January 5, 2017. In the Report, Judge Barksdale recommends that Plaintiff's Motion for Entry of Default Final Judgment (Dkt. No. 9) be granted. See Report at 1, 6. Defendant has failed to file objections to the Report, 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. 10) is **ADOPTED** as the opinion of the Court.

2. Plaintiff's Motion for Entry of Default Final Judgment (Dkt. No. 9) is **GRANTED**.

3. The Clerk of Court is directed to enter default judgment in favor of the United States of America and against Joycelyn V. Berry in the following amounts:

- a. \$6,429.12 in unpaid principal;
- b. \$4,845.20 in capitalized and accrued interest as of September 14, 2016;
- c. \$50.00 in costs;
- d. prejudgment interest accruing on the unpaid principal at the rate of 8.25 percent per year (\$1.45 per day) beginning on September 15, 2016, through the judgment date; and
- e. post-judgment interest accruing from the date the judgment is entered at the rate established by 28 U.S.C. § 1961.

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

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


MARCIA MORALES HOWARD
United States District Judge

ja

Copies to:

The Honorable Patricia D. Barksdale
United States Magistrate Judge

Counsel of Record

Joycelyn V. Berry
8749 Huntington Woods Circle North
Jacksonville, FL 32244