

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

MICHAEL PANDO and  
WILLIAM MCMULLEN,

Plaintiffs,

vs.

Case No. 5:15-cv-610-Oc-34PRL

SHERIFF CHRIS BLAIR, in his official  
capacity as Sheriff of Marion County, et al.,

Defendants.

---

**ORDER**

**THIS CAUSE** is before the Court on the Report and Recommendation (Dkt. No. 69; Report), entered by the Honorable Philip R. Lammens, United States Magistrate Judge, on August 10, 2017. In the Report, Judge Lammens recommends that the Motion for Summary Judgment for Defendants Felix Rodriguez and Tanya Rodriguez (Dkt. No. 37) and the Defendant Sheriff's Motion for Summary Judgment (Dkt. No. 47) be granted, and that Plaintiffs' Motion for Partial Summary Judgment (Dkt. No. 31) be denied. See Report at 44. 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 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 thorough and well reasoned Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. The Report and Recommendation (Dkt. No. 69) is **ADOPTED** as the opinion of the Court.
2. The Motion for Summary Judgment for Defendants Felix Rodriguez and Tanya Rodriguez (Dkt. No. 37) is **GRANTED**.
3. Defendant Sheriff's Motion for Summary Judgment (Dkt. No. 47) is **GRANTED**.
4. Plaintiffs' Motion for Partial Summary Judgment (Dkt. No. 31) is **DENIED**.
5. The Clerk of the Court is directed to enter **JUDGMENT** in favor of Defendants Sheriff Chris Blair, Tanya Rodriguez, and Felix Rodriguez and against Plaintiffs Michael Pando and William McMullen.

6. The Clerk of the Court is further directed to terminate any remaining pending motions and deadlines as moot and close the file.

**DONE and ORDERED** in Chambers, this 31st day of August, 2017.

  
MARCIA MORALES HOWARD  
United States District Judge

ja

Copies to:

Counsel of Record