

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

**GRUPO PESQUERO NORESTE, C.A.,
Plaintiff,**

v.

Case No: 6:16-cv-586-Orl-28GJK

**WILLIAM J. GATCHELL, BLUE SEAS
MARINE, INC., M/V MASTER
BRAXTON, LLC, and M/V MASTER
BRAXTON,
Defendants.**

ORDER

This case is before the Court on the Motion for Entry of Judgment By Default (Doc. 31) filed by Plaintiff. In that motion, Plaintiff seeks a judgment: exonerating the vessel M/V Master Braxton from “any and all claims of interest or ownership on the part of any and all persons, including Defendants”; ordering Defendants to “execute any and all necessary documentation or bill of sale sufficient in law to record the Plaintiff’s clean legal title” over the vessel; and ordering Defendants, the U.S. Marshal, or the substitute custodian to surrender possession of the vessel to Plaintiff.

The assigned United States Magistrate Judge has submitted a Report (Doc. 41) recommending that the motion be granted in part and denied in part. Specifically, the Report recommends: that the Clerk be directed to be enter judgment in favor of Plaintiff and against the Defendants; that the judgment quiet legal title to the vessel in favor of Plaintiff; that the judgment exonerate the vessel from “any and all claims of interest or ownership on the part of the Defendants” but not claims of non-parties; that the judgment order the substitute custodian to immediately surrender possession of the vessel to Plaintiff or its designated agents; and that the motion otherwise be denied. No objections to the

Report have been filed, and the time for the filing of objections has passed. Plaintiff has filed a Notice of No Objection (Doc. 42) to the Report.

After review of the record in this matter, and noting that no objections have been filed, the Court agrees with the findings and conclusions in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

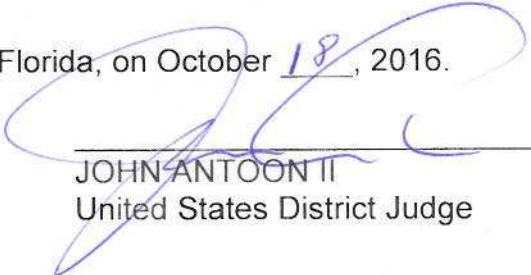
1. The Report and Recommendation (Doc. 41) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. The Motion for Entry of Judgment By Default (Doc. No. 31) is **GRANTED in part and DENIED in part** as set forth in the Report and in this Order.

3. Legal title to the vessel M/V Master Braxton is **hereby quieted** in favor of Plaintiff, Grupo Pesquero Noreste, C.A.

4. The Clerk is directed to enter a judgment in favor of Plaintiff and against the Defendants. The judgment shall provide: that legal title to the vessel M/V Master Braxton belongs to Plaintiff, Grupo Pesquero Noreste, C.A.; that the vessel M/V Master Braxton is exonerated from any and all claims of interest or ownership on the part of any of the Defendants; and that the substitute custodian, National Maritime Services, Inc., shall immediately surrender possession of the vessel M/V Master Braxton to Grupo Pesquero Noreste, C.A. or its designated agents.

DONE and **ORDERED** in Orlando, Florida, on October 18, 2016.



JOHN ANTOON II
United States District Judge

Copies furnished to:
United States Magistrate Judge
Counsel of Record
Unrepresented Parties