

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JAMES F. LAPINSKI,

Plaintiff,

v.

Case No: 6:16-cv-1418-Orl-40GJK

ST. CROIX CONDOMINIUM
ASSOCIATION, INC., ESTATE OF
DOUGLAS COOK, FIFTH DISTRICT
COURT OF APPEALS OF FLORIDA,
FLORIDA SEVENTH CIRCUIT COURT,
STATE OF FLORIDA, VOLUSIA
COUNTY, STEPHEN J. GUARDINO, R.
BROOKS CASEY, JENNIFER
CAMPEN, JOSEPH BANDY, GARY
CHANDLER, JERRY AZEFF, JOHN
WENDER, SANDI DEMBINSKY,
WILLIAM PARSONS, JAMES
CLAYTON, ROBERT ROUSE, JR. ,
DAYTONA BEACH SHORES, FL and
ESTATE OF MICHEAL KENNEDY,

Defendants.

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ORDER

This cause is before the Court on Plaintiff's Motion for Default Judgment and Motion for Summary Judgment (Doc. 48) filed on October 25, 2016. The United States Magistrate Judge has submitted a report recommending that the motion be denied.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed November 10, 2016 (Doc. 65), is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. The Motion for Default Judgment (Doc. 48) is **DENIED as PREMATURE.**

3. The Motion for Summary Judgment (Doc. 48) is **DENIED.**

DONE AND ORDERED in Orlando, Florida on November 30, 2016.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties