

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DANIELLE JENKINS,

Plaintiff,

v.

CASE NO: 8:09-cv-2558-T-33TBM

HUNTER WARFIELD, INC.,

Defendant.

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ORDER

This matter is before the Court on consideration of United States Magistrate Judge Thomas B. McCoun's Report and Recommendation (Doc. # 25), issued on February 2, 2011, which recommends that Plaintiff's case be dismissed for failure to prosecute and the case be closed.

As of this date, there are no objections to the report and recommendation, and the time for the parties to file such objections has elapsed.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983). In the absence of specific objections, there is no requirement that a district judge review factual findings *de*

novo, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendations. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

After conducting a careful and complete review of the findings, conclusions and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the magistrate judge and the recommendation of the magistrate judge regarding the motion.

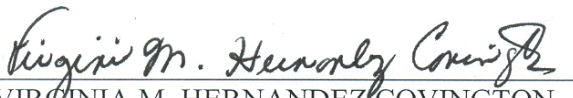
Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

1. United States Magistrate McCoun's Report and Recommendation (Doc. # 25) is **ACCEPTED** and **ADOPTED**.
2. Plaintiff's case is dismissed with prejudice for lack of prosecution.
3. The Clerk is directed to enter a judgment of dismissal in favor of Defendant and close this case.

DONE and **ORDERED** in Tampa, Florida, this 18th day of

February, 2011.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies to:

All Parties and Counsel of Record