

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

ANDRZEJ MADURA and ANNA  
DOLINSKA-MADURA,

Plaintiffs,

v.

Case No. 8:11-cv-2511-T-33TBM

BAC HOME LOANS SERVICING, L.P.,  
ET AL.,

Defendants.

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**ORDER**

This matter is before the Court on consideration of United States Magistrate Judge Thomas B. McCoun, III's Report and Recommendation (Doc. # 736), filed on June 30, 2017, recommending that Lucas Lapinski's construed Motion for Leave to Proceed on Appeal *in forma pauperis* (Doc. # 727) be denied.

Lapinski filed an objection to the Report and Recommendation (Doc. # 737). As discussed below, the Court adopts the Report and Recommendation of the Magistrate Judge.

**Discussion**

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). If a party files a timely and specific objection to

a finding of fact by the magistrate, the district court must conduct a *de novo* review with respect to that factual issue. Stokes v. Singletary, 952 F.2d 1567, 1576 (11th Cir. 1992). 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).

The Report and Recommendation thoroughly and thoughtfully addresses the issues presented and none of the arguments raised in the objection provide a basis for rejecting the Report and Recommendation. After conducting a careful and complete review of the findings, conclusions and recommendations, and giving *de novo* review, the Court accepts the factual findings and legal conclusions of the Magistrate Judge and the recommendation of the Magistrate Judge.

Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

- (1) The Report and Recommendation (Doc. # 736) is **ACCEPTED** and **ADOPTED**.
- (2) Lapinski's objection (Doc. # 737) is **OVERRULED**.
- (3) Lapinski's construed Motion for Leave to Proceed on Appeal *in forma pauperis* (Doc. # 727) is **DENIED**.

(4) The Court certifies that the appeal is not taken in good faith and directs the Clerk to notify the Court of Appeals of this ruling in accordance with Rule 24(a)(4)(B), Federal Rules of Appellate Procedure.

**DONE** and **ORDERED** in Chambers in Tampa, Florida, this 14th day of July, 2017.

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